United Nations

A/53/PV.39

General Assembly

Fifty-third Session

Official Records

39th plenary meeting
Friday, 16 October 1998, 10 a.m.
New York

President: Mr. Opertti . . . . . (Uruguay)

In the absence of the President, Mr. Mangoaela (Lesotho), Vice-President, took the Chair.

The meeting was called to order at 10.15 a.m.

Agenda item 158 (*continued*)

World Solar Programme 1996-2005

Draft resolution (A/53/L.8)

The Acting President: I have been informed that there are additional sponsors of draft resolution A/53/L.8: Afghanistan, Algeria, Angola, Austria, Bangladesh, Botswana, Burkina Faso, Cameroon, Cape Verde, Costa Rica, Croatia, Greece, Lesotho, Malta, the Marshall Islands, Myanmar, the Netherlands, Spain, the former Yugoslav Republic of Macedonia and Turkmenistan.

The Assembly will now take a decision on draft resolution A/53/L.8.

May I take it that the Assembly decides to adopt the draft resolution?

Draft resolution A/53/L.8 was adopted (resolution 53/7).

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 158?

It was so decided.

If there are any delegations that still wish to sponsor the resolution that has just been adopted, they may sign up with the Secretariat.

Agenda item 166

Election of judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Letter from the President of the Security Council (A/52/1023)

Memorandum by the Secretary-General (A/53/351)

Curricula vitae (A/53/352)

The Acting President: The General Assembly will now proceed to the election of three judges to an additional Trial Chamber of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

By its resolution 1166 (1998) of 13 May 1998, the Security Council decided to establish a third Trial Chamber of the International Tribunal. It also decided that three additional judges should be elected as soon as

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possible to serve in the additional Trial Chamber and that the judges so elected should serve until the date of expiry of the terms of office of the judges currently serving on the Tribunal, that is, until 16 November 2001.

In connection with the election, I should like to bring the following matters to the attention of the General Assembly.

First, in accordance with article 13, paragraph 2, of the Statute of the International Tribunal, the three judges of the third Trial Chamber of the International Tribunal shall be elected by the General Assembly from a list of candidates submitted by the Security Council.

At its 3919th meeting, on 27 August 1998, the Security Council, in accordance with article 13, subparagraph 2 (c) of the Statute of the International Tribunal, established in resolution 1191 (1998) a list of nine candidates, taking due account of the adequate representation of the principal legal systems of the world. The list was formally conveyed to the President of the General Assembly by a letter dated 27 August 1998 from the President of the Security Council. The letter was issued as document A/52/1023.

Secondly, in accordance with article 13, subparagraph 2 (d), of the Statute of the International Tribunal, the Holy See and Switzerland, being non-member States, shall participate in the election in the same manner as the States Members of the United Nations. On this occasion, I am happy to welcome here the representatives of the Holy See and Switzerland.

Finally, I should like to draw the attention of the Assembly to the documents relating to the election. The memorandum by the Secretary-General concerning the election of judges of the International Tribunal is contained in document A/53/351.

The list of candidates is to be found in paragraph 6 of document A/53/351.

The curricula vitae of the candidates are to be found in document A/53/352. In that connection, may I bring to the Assembly's attention article 13, paragraph 1, of the Statute of the International Tribunal, which reads as follows:

> "The judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law."

As representatives know, the election of judges will take place in accordance with the relevant provisions of article 13 of the Statute of the International Tribunal.

In addition, given the similar nature of the election of judge of the International Court of Justice and the election of judges of the International Tribunal, it was decided at the time of the previous elections of judges, in 1993 and 1997, to follow similar election procedures in the General Assembly. In his memorandum, the Secretary-General suggests that this precedent be applied to the election of judges of the third Trial Chamber of the International Tribunal.

May I take it that the Assembly agrees to that suggestion?

It was so decided.

The Acting President: In accordance with article 13, subparagraph 2 (d), of the Statute of the International Tribunal, the candidates who receive an absolute majority of the votes of States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters shall be declared elected.

The consistent practice of the United Nations has been to interpret the words "absolute majority" as meaning a majority of all electors, whether or not they vote or are allowed to vote. The electors, for this purpose, are all 185 Member States and the two non-member States, namely the Holy See and Switzerland.

Accordingly, 94 votes constitute an absolute majority for the purpose of electing judges of the International Tribunal.

If in the first ballot the number of candidates obtaining an absolute majority is less than three, a second ballot will be held, and balloting will continue in the same meeting, if and as necessary, until three candidates have obtained an absolute majority. In any second or subsequent ballot, each elector may vote for no more

than three candidates less the number of candidates who have already obtained absolute majorities.

Following the practice in the election of judges of the International Court of Justice, the Secretary-General suggests in his memorandum that subsequent balloting should be unrestricted — I repeat, that subsequent balloting should be unrestricted. Votes may accordingly be cast in any second or subsequent ballot for an eligible candidate who has not yet obtained an absolute majority.

It is further suggested that if in the first ballot more than the required number of candidates obtain an absolute majority of votes, a second ballot will be held on all candidates, and balloting will continue at the same meeting until the required number of candidates, and no more, obtain an absolute majority.

May I take it that the Assembly agrees to the procedures I have just outlined?

It was so decided.

Mr. Tello (Mexico) (*interpretation from Spanish*): Once again, the delegation of Mexico will not participate in the election of judges of the International Tribunal for the former Yugoslavia. Mexico has consistently held that, in establishing that Tribunal, the Security Council acted beyond its sphere of competence, since the Charter of the United Nations contains no explicit provision giving the Council the authority to create jurisdictional organs of this nature.

Mexico remains convinced that, once it is operational, the International Criminal Court, which was indeed established in conformity with the norms of international law, will render the creation of new special tribunals unnecessary.

This position notwithstanding, Mexico will continue to pay in timely fashion its assessed financial contribution to the Tribunal, strictly abiding by the decisions that the General Assembly has adopted on this matter.

The Acting President: I call on the representative of the Holy See.

Monsignor Panikulam (Holy See): The Holy See has closely followed the process leading to the establishment of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

The Holy See, and especially Pope John Paul II, has unceasingly worked for the cessation of hostilities, the reconciliation of the parties and international humanitarian solidarity with all the victims, and has without any distinction condemned in the strongest terms the perpetrators of crimes, holding them responsible not only before the tribunal of God but also in the courts of human justice. From the beginning of the conflict, the Holy See has supported, especially within the Organization for Security and Cooperation in Europe (OSCE), the principle of the personal responsibility of the parties, and it therefore welcomes today the establishment of the International Tribunal as an instrument of the international community to express its condemnation of violations of international humanitarian law.

The Holy See equally welcomes the provisions of the Statute of the International Tribunal, as amended on 13 May 1998, in article 13, subparagraphs 2 (a) and (d), which acknowledge the Holy See's active participation in the establishment of the Tribunal, as a non-member State, maintaining a permanent observer mission at the United Nations.

However, the Holy See, in consideration of its specific nature and of its objectives as a sovereign international entity, and in accordance with recognized practice in similar cases, has decided to abstain from casting its vote on the individual candidates for the office of judge of the International Tribunal.

The Holy See expresses its confidence in the choices that will be made by the international community and its sincere best wishes for success to the elected judges in their service to the cause of justice. It is the hope of the Holy See that the persisting culture of impunity will soon be brought to an end and that all responsible for serious crimes in the territory of the former Yugoslavia, including those in Kosovo, will be brought promptly to justice.

The Acting President: We shall now proceed with the election.

The voting process has now begun.

Representatives are requested to use only the ballot papers now being distributed. Only those candidates whose names appear on the ballot papers are eligible for

election. Representatives will indicate the three candidates for whom they wish to vote by placing crosses to the left of their names on the ballot papers. Ballot papers on which more than three names are marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot papers.

At the invitation of the Acting President, Ms. Tavora (Brazil), Ms. Pavlova (Bulgaria), Mr. Mwangi (Kenya) and Mr. Obeid (Syrian Arab Republic) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 10.45 a.m. and resumed at 11.40 a.m.

The Acting President: The result of the voting is as follows:

Number of ballot papers:	174
Number of invalid ballots:	0
Number of valid ballots:	174
Abstentions:	1
Number of members voting:	173
Required absolute majority:	94
Number of votes obtained:	
Mr. David Anthony Hunt (Australia)	88
Mr. Peter H. Wilkitzki (Germany)	74
Mr. Patrick Lipton Robinson (Jamaica)	70
Mr. Mohamed Bennouna (Morocco)	69
Mr. Húgo Aníbal Llanos Mansilla (Chile)	62
Mr. Per-Johan Viktor Lindholm (Finland)	46
Mr. Waldo Bandara Srinihal Wadugodapitiya (Sri Lanka)	40
Mr. Jan Skupinski (Poland)	28
Mr. Luis Valencia Rodríguez (Ecuador)	22

The Acting President: Since no candidate has obtained an absolute majority, the Assembly will have to proceed to another unrestricted ballot in order to fill the three vacancies.

Ballot papers are being distributed. All the candidates whose names appear on the ballot papers are eligible.

Once again, I remind representatives to place a cross at the left of the names of the three candidates for whom they wish to vote. Any ballot paper on which more than three names are marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot papers.

Mr. Izquierdo (Ecuador) (*interpretation from Spanish*): My delegation, in order to facilitate the election, has decided to withdraw the candidacy of Ambassador Luis Valencia Rodríguez.

The Acting President: The representative of Ecuador has stated that one of the names on the list of candidates established by the Security Council should be removed. I take it that the representative of Ecuador is informing the General Assembly that his national has decided to withdraw his name from the list. On that understanding, the name of Mr. Luis Valencia Rodríguez of Ecuador will be removed from the next ballot.

Mr. Wyzner (Poland): With the same understanding as that of the representative of Ecuador and in the same spirit, I would like to inform the Assembly that the name of Mr. Skupinski should be removed from the ballot.

At the same time I would like to express regret that again this time, as a year ago, the region and school of law that Mr. Skupinski would have represented will not be represented in the Tribunal. I am afraid this will not help the Tribunal in its work.

The Acting President: From the representative of Poland's statement that one of the names on the list of candidates established by the Security Council should be removed, I take it that he is informing the General Assembly that his national has decided to withdraw his name from the list. On that understanding, the name of Mr. Jan Skupinski will be removed from the next ballot.

In view of the fact that the ballot papers will need to be revised in order to reflect the changes that have just been announced, we shall suspend the meeting for 10 minutes.

The meeting was suspended at 11.45 a.m. and resumed at 12.05 p.m.

The Acting President: The General Assembly will now proceed to another unrestricted ballot to fill the remaining three vacancies.

Ballot papers are now being distributed. All the candidates whose names appear on the ballot papers are eligible. Once again, I would remind delegates to place a cross at the left of the names of the three candidates for whom they wish to vote. Any ballot paper on which more than three names are marked will be considered invalid.

Votes may be cast only for those whose names appear on the ballot papers.

At the invitation of the Acting President, Ms. Tavora (Brazil), Ms. Pavlova (Bulgaria), Mr. Mwangi (Kenya) and Mr. Obeid (Syrian Arab Republic) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 12.15 p.m. and resumed at 1.20 p.m.

The Acting President: The result of the voting is as follows:

Number of ballot papers:	175
Number of invalid ballots:	1
Number of valid ballots:	174
Abstentions:	1
Number of members voting:	173
Required absolute majority:	94
Number of votes obtained:	
Mr. David Anthony Hunt (Australia)	113
Mr. Patrick Lipton Robinson (Jamaica)	98
Mr. Peter H. Wilkitzki (Germany)	87
Mr. Mohamed Bennouna (Morocco)	76
Mr. Húgo Aníbal Llanos Mansilla (Chile)	57
Mr. Per-Johan Viktor Lindholm (Finland)	30
Mr. Waldo Bandara Srinihal Wadugodapitiya (Sri Lanka)	19

The Acting President: Having obtained an absolute majority, Mr. David Anthony Hunt (Australia) and Mr. Patrick Lipton Robinson (Jamaica) are elected members of the International Tribunal to serve in the third Trial Chamber.

Ms. Rasi (Finland): In order to facilitate the voting process, I wish to request that the name of Judge Lindholm be deleted from the list.

The Acting President: Members have heard the statement just made by the representative of Finland. The name of Mr. Per-Johan Viktor Lindholm will be deleted from the ballot papers.

Mr. De Saram (Sri Lanka): In light of the results of the voting, I am withdrawing the name of the candidate of Sri Lanka, Mr. Wadugodapitiya.

The Acting President: The name of Mr. Waldo Bandara Srinihal Wadugodapitiya has been withdrawn and will be deleted from the list.

There remains one seat to be filled. The Assembly will now proceed to another ballot to fill the remaining vacancy. In accordance with the decision taken earlier, that ballot shall be unrestricted.

Ballot papers are being distributed. All candidates whose names appear on the ballot paper, except those who have just withdrawn, are eligible. Once again, I remind delegations that the name of only one candidate should be marked with a cross. Any ballot paper on which more than one name is marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot papers.

At the invitation of the Acting President, Ms. Tavora (Brazil), Ms. Pavlova (Bulgaria), Mr. Mwangi (Kenya) and Mr. Obeid (Syrian Arab Republic) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 1.30 p.m. and resumed at 1.45 p.m.

The Acting President: The result of the voting is as follows:

Number of ballot papers:	173
Number of invalid ballots:	1
Number of valid ballots:	172
Abstentions:	1
Number of members voting:	171
Required absolute majority:	94
Number of votes obtained:	
Mr. Mohamed Bennouna (Morocco)	72
Mr. Peter H. Wilkitzki (Germany)	69
Mr. Húgo Aníbal Llanos Mansilla (Chile)	30

The Acting President: Since no candidate has obtained an absolute majority, the Assembly will have to proceed to another unrestricted ballot to fill the remaining vacancy.

Mr. Larraín (Chile) (*interpretation from Spanish*): In order to facilitate the election process, I should like to state that my delegation withdraws the name of Mr. Llanos Mansilla.

The Acting President: Members have heard the statement just made by the representative of Chile. The name of Mr. Húgo Aníbal Llanos Mansilla will be deleted from the ballot papers.

In view of the lateness of the hour, we will continue with the balloting this afternoon.

Mr. Maidin (Brunei Darussalam), Vice-President, took the Chair.

The meeting was suspended at 1.50 p.m. and resumed at 3.40 p.m.

The Acting President: The Assembly will now proceed to another unrestricted ballot to fill the remaining vacancy.

I should like to remind members that the representative of Chile announced earlier the withdrawal of his country's candidate, Mr. Húgo Aníbal Llanos Mansilla. Accordingly, the ballot papers to be distributed do not contain that name.

Ballot papers are being distributed. All the candidates whose names appear on the ballot paper are eligible. Once again, I remind delegations that the name of only one candidate should be marked with a cross. Any ballot paper on which more than one name is marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot paper.

At the invitation of the Acting President, Ms. Tavora (Brazil), Ms. Pavlova (Bulgaria), Mr. Mwangi (Kenya) and Mr. Obeid (Syrian Arab Republic) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 3.50 p.m. and resumed at 4.05 p.m.

The Acting President: The result of the voting is as follows:

Number of ballot papers:	167
Number of invalid ballots:	0
Number of valid ballots:	167
Abstentions:	0
Number of members voting:	167
Required absolute majority:	94
Number of votes obtained:	
Mr. Mohamed Bennouna (Morocco)	98
Mr. Peter H. Wilkitzki (Germany)	69

The Acting President: Having obtained an absolute majority, Mr. Mohamed Bennouna (Morocco) is elected a member of the International Tribunal to serve in the third Trial Chamber.

The three judges so elected shall serve until the date of expiry of the terms of office of the judges currently serving on the Tribunal, that is, until 16 November 2001. The beginning of their terms of office will be determined by the President of the International Tribunal. The third Trial Chamber of the International Tribunal has thus been fully established.

I take this opportunity to extend to the judges the congratulations of the Assembly on their election and to thank the tellers for their assistance.

This concludes our consideration of agenda item 166.

The meeting rose at 4.10 p.m.

United Nations A/53/PV.40

General Assembly
Fifty-third Session

Official Records

40th plenary meeting
Wednesday, 21 October 1998, 10 a.m.
New York

President: Mr. Opertti ..... (Uruguay)

The meeting was called to order at 10.20 a.m.

Agenda item 11

Report of the Security Council (A/52/2)

The President (*interpretation from Spanish*): I call on the President of the Security Council, His Excellency Sir Jeremy Greenstock, to introduce the report of the Security Council.

Sir Jeremy Greenstock (United Kingdom), President of the Security Council: It is a privilege for me, Sir, to be called upon to address the General Assembly under your presidency and to follow in the footsteps of many distinguished predecessors from a wide range of Member States, including my own, in introducing the annual report of the Security Council, covering the period from 16 June 1997 to 15 June 1998.

The members of the Security Council continue to attach great importance to the timely preparation and submission of this annual report in accordance with the provisions of Articles 15 and 24 of the Charter. As in previous years, the report was issued to all Member States in draft and was adopted at a public meeting of the Security Council. The members of the Security Council also took care to submit the report to the Assembly in good time before the start of the general debate on 21 September. The members of the Council remain indebted to the Security Council secretariat for their hard work and professionalism in contributing to this, and for their unstinting efforts on so many other matters throughout the course of the year.

As the annual report for this period makes clear, the Security Council has had another very busy year. This does not in itself demonstrate high productivity, but rather reflects the many problems related to the maintenance of international peace and security with which the Council has had to deal. During the period under review, the Council held over 100 formal meetings, adopted 61 resolutions and agreed upon 41 statements by its President. The subject matter of the questions before the Council remains as wide-ranging as ever. The situation in Africa occupied much of the time of the Council, and was considered as a general item in its own right. But the report of the Council, which records the consideration of issues arising also in Asia, Europe, Australasia and Central America, shows that peace and security issues are not confined to any one geographical region. It is also noteworthy that the Council has considered certain aspects of peace and security from a global perspective, for example its consideration of protection for humanitarian assistance to refugees and others in conflict situations, and of the role of civilian police and other aspects of peacekeeping operations. I am sure that today's debate in the Assembly, which is an important event as part of the process of dialogue between the Assembly and the Security Council, will deal not just with the history and the statistics but also with the substance of some of these issues.

May I comment on the format and composition of this report, which shows some significant developments in comparison with its predecessors. The members of the

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Council have taken careful note of the need to enhance the transparency of the Council, a concept which applies not only to the way in which the Council carries on its work, but also to the way in which that work is reported and recorded. It has long been a concern of many members of the Organization that the analytical nature of this report should be enhanced. In response to those concerns, the President of the Security Council set out new guidelines for the content of the report in a note of 12 June 1997 (S/1997/451). That decision is reflected for the first time in the report before us today.

Members will have noted that, in accordance with that decision, this year's report includes, as background, a descriptive list of the decisions, resolutions and presidential statements of the Council for the year preceding the period which is covered. For the 16 June 1997 to 15 June 1998 period covered by the report, the report now includes, for each item of substance, a description in chronological order of the consideration by the Council of the subject and of the actions taken by the Council on that item, including descriptions of the decisions, resolutions and presidential statements, and a list of communications received by the Council and of reports from the Secretary-General. It also includes information on the dates of formal meetings and informal consultations, on which subjects were discussed, on the work of subsidiary organs including the sanctions committees, on the documentation and working methods and procedures of the Council, and on matters brought to the attention of the Council but not discussed by it in the period covered. The appendices now include full texts of all the resolutions, decisions and statements adopted or voted upon by the Council during this period, together with information about meetings with troop-contributing countries. All in all, the intention of these changes is to make the report more comprehensive and easier to use, and to set out a more detailed record of the work of the Council during the past year.

Another significant development is the inclusion in this report, for the first time, of brief assessments of the work of the Council prepared by representatives who had completed their functions as President of the Council. These assessments were prepared by each President under his own responsibility, though they were prepared in consultation with the other members of the Council for the month during which he presided. They do not represent the views of the Council as such, and naturally each report reflects in some respects the individual perceptions of each President. But members of the Council believe this new approach is one which is helpful and informative and which will provide a useful insight into the substance of the work of the Council during the course of the year.

Although this report of the Council is, for these reasons, rather fuller than those of previous years, I must recall that it is not intended as a substitute for the official records of the Security Council, which provide a more substantive account of the Council's deliberations. The report should be read, for the purposes of this discussion in the General Assembly, in conjunction with other official documents of the Council, to which it constitutes a reference guide.

Finally, Mr. President, I would like to assure you and all the members of this Assembly that the members of the Council will listen attentively to the debate which is being held today. As in previous years, members of the Council value this opportunity for a dialogue, and will give careful consideration to the points which are put forward.

Mr. Kastrup (Germany): For the fifty-third time, the Security Council is presenting an annual report to the General Assembly. As in previous years, Germany welcomes this presentation. The report is the result of enormous efforts made by the Secretariat staff to give the general membership more than a rough idea of the work of the Council and the issues the Council dealt with between June 1997 and June 1998. Let me seize this opportunity to thank all those involved in this time-consuming endeavour.

At the same time, the report also seems to be a strong indication that far more efforts are needed to bring about a comprehensive reform of the Organization. Of course, everybody knows that the report of the Council is only one element of the badly and urgently needed overall reform of the Security Council.

Allow me to elaborate on these points in more detail and in the following sequence: first, workload and effectiveness of the Council; secondly, innovative elements in this year's report; and thirdly, the necessity to aim at more comprehensive reform measures.

With regard to workload and effectiveness of the Council, the report reflects the enormous workload of the Council in the past 12 months. The numbers have been mentioned by the President of the Council. Among other things, the activities of the Security Council considered by the report cover wide areas of conflict, mostly in, but not limited to Africa. The former Yugoslavia, Georgia

and Tajikistan also figured on the agenda, as did Asian countries such as Afghanistan and Cambodia. The report uses more than 300 pages to cover these and other questions, without counting the 48 additional pages which reflect the monthly assessments of the respective Presidents of the Council. Altogether this adds up to over 60 pages more than last year's report. In other words, the report, whose drafting apparently absorbs a great deal of time and effort, has again grown considerably.

I really wonder how many of us might have read every single page of the report or at least substantial selected parts of it. The report undoubtedly has its merits as a reference document. However, the question remains of whether it could be done in a more comprehensive, more effective and less time- and paper-consuming manner.

I would now like to address the innovative elements in this year's report. There can hardly be any doubt that the innovative elements in this year's report are the monthly assessments of the work of the Council, which have been included as an addendum to the report. The assessments represent the reaction of the Council to the requests for a more analytical report which Germany and many other countries have made repeatedly in the past. The inclusion of the assessments deserves broad applause. It is a new effort to add life to a routine exercise and, like many new efforts, it had a rather slow start. Germany would like to encourage all future presidencies of the Council to be as open, forthcoming and analytical as possible, since there hardly seems to be any other way for thorough analysis but through individual assessments.

Germany has noted with appreciation the early presentation of the report, on 9 September 1998.

I would now like to comment on the necessity of aiming at more comprehensive reform measures. The report informs the general membership about the work of the Security Council in the past. My delegation would like to see improved information and to see participation take place not in the aftermath of events but at the time of their occurrence. In addition to calling for more transparent working methods, Germany firmly holds the view that the composition of the Security Council has to be changed. The current membership no longer corresponds to the realities of the world. The pivotal and comprehensive Security Council reform proposal of the former President of the General Assembly, Mr. Razali Ismail, continues to be, in the view of many delegations, a constructive basis for further discussions.

Reform does not consist of papers and documents, as well written as they may be. For the first time, there is the chance for a true and complete overhaul of the Security Council, which in its present composition is no longer capable of meeting the expectations of the membership, let alone those of the international community and the public. The United Nations can count on Germany and our active commitment during this session to work to benefit the entire Organization.

The President (*interpretation from Spanish*): Before giving the floor to the next speaker, I should like to propose that the list of speakers on this item be closed at 12 noon today. If there are no objections to this approach, I shall take it that the Assembly agrees with this proposal.

It was so decided.

The President (*interpretation from Spanish*): I therefore ask representatives who wish to participate in the debate on this item to inscribe their names on the list as soon as possible.

Mr. Hasmy (Malaysia): I wish to thank the Permanent Representative of the United Kingdom, President of the Security Council for the month of October 1998, for introducing the report of the Security Council. I would particularly like to thank him for the succinct and focused oral presentation he has just made, which places the report in the right context, thereby providing a framework for an in-depth discussion of the subject.

My delegation notes that the current report is the first submitted by the Security Council pursuant to the measures initiated by the Council in June 1997 aimed at enhancing the analytical nature of the report. My delegation finds the report a great improvement over those submitted by the Council in the past. Its modified format and more rational organization of its content have contributed to its overall readability. We particularly commend the more organized layout of the report, which consists of a set of three sub-headings setting out brief but useful background information on the issues dealt with by the Council, their actual consideration by the Council and a description of the communications received by the Council during the period under review. In terms of its coverage of the decisions of the Council, we find the report more descriptive, which therefore makes it an important and much needed analytical tool for Member States that are not members of the Council.

One innovative change in the format of the report which my delegation finds particularly useful is the assessment of the work of the Council by the President of the Council for each particular month, prepared under his own responsibility. While these assessments do not constitute the collective views of the Council as a whole but are prepared following consultations with members of the Council, they give an important overview of the work of the Security Council during a particular month. Overall, these assessments, which are written in a balanced, objective and non-controversial manner, contain pertinent and useful observations and comments by the President of the Council during the month in question with respect to the work of the Council, particularly in regard to improved working methods of the Council and the contribution of each President in that direction. My delegation would therefore encourage the continuation of such monthly presidential assessments, which we hope could be further improved in future.

My delegation would like to pay tribute to the Council for its increasing preparedness to be more open and transparent in its work in response to the expressed wish of Member States that are not members of the Council. This new openness is reflected by the increased flow and sharing of information with non-members of the Council, either through the early availability of draft resolutions to interested States Members of the Organization, the regular or sometimes daily briefings by the President of the Council, or more formal or open debates. Through such openness, Member States that are not members of the Council no longer have to depend on newspaper accounts of the deliberations and decisions of the Council, as was largely the case in the past. This has enormously facilitated the work of interested permanent missions in their reporting to their Governments and has contributed to a great extent to improving the image and credibility of the Council vis-à-vis the States Members of the United Nations.

We are particularly grateful to the members of the Council for giving, during the period of their presidency, detailed daily briefings to non-members immediately following the conclusion of informal consultations of the Council. These are especially useful to interested Member States that follow the issues closely and that are expected to take part in the formal debates that sometimes follow these informal consultations. We would like to commend the high quality of the briefings given by the Presidents of the Council, compared to previously, and hence the noticeably increased attendance at these briefings. I should add that non-Council members find equally useful the established practice of announcing in the *Journal of the United Nations* the issues scheduled for consideration in the informal consultations under the agenda item entitled "Other matters".

On the substantive aspect of the work of the Council, my delegation would like to touch on a few issues it considers important, namely with respect to sanctions and peacekeeping. On the question of sanctions, while my delegation recognizes that they are a legitimate instrument of enforcement provided for in the Charter and serve specific purposes, we would like to reiterate the point we made in the General Assembly that sanctions should be an instrument of last resort, when all other means have failed. They should be imposed only if absolutely necessary. They should have clear and specific objectives and parameters, and they should be clearly targeted, with specified time-frames and appropriate review mechanisms based on a fair and objective evaluation of the effects and effectiveness of the sanctions.

This is important in order to ensure the credibility of the Council, for while the decision to impose economic, military, financial or diplomatic sanctions may easily be taken through the adoption by the Council of a simple resolution, their implementation usually raises a large number of problems for the international community, including the neighbouring States. Sanctions can, and usually do, take a very long time to work. They can cause enormous collateral negative effects to innocent and blameless civilians, including women, children, the aged and the infirm, in the target States as well as others before they achieve their objectives. Unless they are perceived as being fair and can be effectively carried out with the strong and consistent support of the international community, sanctions may run the risk of being challenged, thereby undermining the prestige and credibility of the United Nations itself.

In this regard, therefore, it is important for the Council to take a careful look at the use and practices of sanctions with a view to ensuring their efficacious and judicious implementation, in the interest of ensuring their continuing international support. It is particularly important that sanctions not be perceived as punitive instruments in the hands of one or two Council members which are intent on punishing a particular country or countries that they do not like. A step in the right direction in this regard is further to improve the working methods and practices of the various sanctions committees, such as through increased transparency of

their working procedures, greater access to information by non-Council members and increased consultation with the affected States. My delegation would also encourage the Chairmen of the sanctions committees to put into effect the practice of giving oral briefings after each meeting, in the same manner that the President of the Security Council does following the informal consultations of the Council.

It is also important for the Council to consider in greater depth the "dual-use" principle adopted by the sanctions committees, particularly when it is applied in the context of requests for humanitarian consideration. This is because almost all goods necessary for human survival have some military use. Furthermore, because military and economic sanctions are often imposed as a package, it is politically difficult for the Council to lift economic sanctions while maintaining those relating to the military.

With regard to peacekeeping, my delegation is gratified at the way that peacekeeping operations have benefited enormously from the lessons learned from past experiences. As a troop- contributing country, Malaysia is equally pleased with the increased and regular interaction between the Council and troop- contributing countries. This contributes in no small measure to increased awareness and appreciation on the part of the Governments concerned of the problems and requirements of peacekeeping. It is also helpful in terms of generating continued support by States Members of the Organization for such peacekeeping operations, currently and in future. In this regard, it is important for troop-contributing countries to be reimbursed on a timely basis — hence the importance of all Member States' paying their peacekeeping contributions on time, in full and without conditions.

My delegation notes the increasing reliance by the United Nations on regional partners in managing regional conflicts, including the undertaking of peacekeeping operations. While such a division of labour and sharing of resources may be the appropriate thing to do, especially at a time of severe financial constraints on the part of the Organization, it is imperative that in doing so there should be established clear lines of authority, responsibility and communication between the United Nations and the regional organizations concerned. At the same time, it is important to ensure that in all these efforts there is no abandoning of the central and critical role of the United Nations, particularly the Security Council, in the maintenance of international peace and security, as enshrined in the Charter.

There is no denying the central and critical role of the Security Council in the maintenance of international peace and security. However, in carrying out its work it is important that it have the strong and consistent support of the international community in order to ensure the legitimacy of its decisions in the eyes of non-members of the Council, which sit on the outside and are not privy to its deliberations. To the extent that this annual report of the Security Council contributes to this increased understanding of and support for the work of the Council, my delegation warmly commends it. As improving the working methods of the Council is an ongoing process, my delegation looks forward to better reporting of the work of the Council to the General Assembly, including, whenever possible, the submission of special reports, as provided for in the United Nations Charter.

Mr. Powles (New Zealand): I would like to note at the outset that on questions involving the working methods of the Council, and particularly issues of transparency, New Zealand has the privilege of maintaining close coordination with the delegation of Argentina. That delegation has informed me that it is in sympathy with the statement that follows. I should also like at the outset to join the Permanent Representative of Malaysia in thanking the President of the Security Council for his presentation of the Council's report this morning.

Under this item the Security Council endeavours to address the General Assembly's right to be informed of the measures the Council has decided upon or has taken in order to maintain international peace and security during the period under review. This requirement is spelt out in Article 15 and Article 24, paragraph 3, of the Charter. It arises from the essential nature of the relationship between the two organs, whereby the Security Council acts on behalf of the wider membership represented in this Assembly.

The present report of the Security Council in document A/53/2 sets out the many important issues that were brought to the Council's attention and the action taken by the Council between 16 June 1997 and 15 June this year. If I may begin by indulging in a little parochialism, a question of special significance to my own delegation was the Council's consideration of a United Nations role in Bougainville, Papua New Guinea, as called for in the peace Agreement signed at Lincoln University in New Zealand in January of this year. We remain grateful to those members of the Council that took

a particular interest in the matter and contributed to the positive outcome which has led to the establishment of a small United Nations political office in Bougainville to monitor the peace process.

Looking farther afield, the report records how the Council necessarily devoted a good deal of effort over the past year to the situation in Africa, including consideration of the Secretary-General's valuable report on "The causes of conflict and the promotion of durable peace and sustainable development in Africa". Given the importance of the topic, a very large number of delegations were represented at the open meeting of the Council on 24 April 1998, and many Member States non-members of the Security Council spoke. The Council subsequently adopted resolution 1170 (1998) which among other things established an ad hoc Working Group on the Secretary-General's report.

I would also like to refer to the Security Council's crucial role, through the adoption of resolution 1172 (1998), in giving expression to the international community's condemnation of nuclear testing by India and Pakistan in May this year. Our satisfaction at this outcome was, however, unfortunately tempered by the relatively low turnout for the open meeting on Saturday, 6 June, when the resolution was adopted. This was largely attributable to the fact that notice of the possibility of this Saturday meeting was only provided by fax to Missions long after the close of business on Friday, 5 June. In my own Mission, the relevant fax was recorded as having been received well after midnight. I am just not sure how many conscientious Missions are still at work at that hour on a Friday night.

I would add that many Member States non-members of the Council that did manage to take part in the 6 June meeting were given further cause for concern when the Council proceeded to adopt the relevant resolution before permitting them to speak.

But to turn to the report itself, there are a number of distinct improvements in this year's report which we wish to recognize. We are particularly pleased to see included in document A/53/2 as an addendum the monthly assessments done by the former Presidents of the Council. This represents an encouraging step towards greater transparency. The assessments of the former Presidents are an important contribution to our understanding of the considerations that informed the Council's decision-making. They allow us, the wider membership, a glimpse into the closed world of the Council's informal consultations, where most Council decisions are in fact made.

We are also pleased to see that this year's report returns to the practice of telling us how many informal consultations of the whole were held on each question before the Council. As my colleague from Argentina commented on this very occasion last year, the quantity of informal consultations that the Security Council holds is not a superfluous or irrelevant fact. Rather, and I quote him,

> "it is information that gives non-members an idea of the extent to which the work of the Council has been conducted by means of procedures for which there is no record whatsoever". (*A/52/PV.39, p. 10*)

We will have more to say specifically on the working methods of the Council under agenda item 59, "Question of equitable representation on and increase in the membership of the Security Council and related matters". Many delegations in recent years, whether while serving on the Council or in the context of the Open-ended Working Group dealing with the reform of the Security Council, have put forward useful ideas for its modernization. Our own cooperation with Argentina has its seeds in the year 1994, during which we served together on the Security Council. We wish Argentina and the four other newly elected members of the Council — Canada, Malaysia, Namibia and the Netherlands — every success in the continuing effort to make the Council more democratic and accountable.

Some of the proposals that have been made from time to time for improvements have taken root, as this report shows. But as is often the case with so many good ideas, practice can fall short of principle. It seems to my delegation that the heart of the problem lies in the imbalance between open meetings of the Council and the far more frequent use of informal consultations of the whole for taking decisions. Meetings held in private can obviously be useful at times. But they should not have been permitted to become the normal modus operandi for any part of this Organization.

As *The New York Times* columnist A. M. Rosenthal reminded us on 6 March this year in a powerful piece of writing headed "The Secret Council", it wasn't always this way. The great majority of meetings were in fact held in public during the first 20 years after the Organization's creation. Council members could and did meet privately, but, as Mr. Rosenthal notes,

> "the purpose was to have some quiet conversation, not to close the real business to the public".

Open meetings stimulated a good deal of public interest in the United Nations, something it sorely needs now, despite the impressive efforts of our Secretary-General on the celebrity "rubber-chicken" circuit — efforts which are of course admired and supported by us all.

All of us here are indeed fortunate to be living at a time when access to information has never been greater. It is the cornerstone of democracy and one of the truly positive effects of globalization. When it comes to issues of international peace and security, people around the world want to know what their diplomats and Governments are doing in their name. It seems to me very worrying, therefore, that the Security Council continues to cling to the habit of secrecy in so much of its decision-making, when the tide is so clearly running the other way.

Mr. Valdivieso (Colombia) (*interpretation from Spanish*): Allow me first of all to express our gratitude to the President of the Security Council for his introduction to the report covering the period from 16 June 1997 to 15 June 1998, contained in document A/53/2.

Articles 10 through 17 of the Charter of the United Nations refer to the functions and powers of the General Assembly. Pursuant to Article 15, the Assembly shall receive and consider both the annual reports and the special reports issued by the Security Council. Likewise, in Article 24, paragraph 3, the Charter establishes that the Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

These two provisions establish a link of the greatest importance for the performance of the United Nations, a link that reflects the fact that when the Security Council acts in conformity with the Charter, it does so on behalf of the Member States. At the same time, there is an organ within the Organization, the General Assembly, in which all Member States are represented, and it is vested with a broad mandate covering the various issues and questions within the framework of the Charter.

The importance of the report of the Council to the Assembly is further underscored by the fact that in Article 15, paragraph 1, the Charter makes a separate reference to the report of the Council, highlighting it and distinguishing it from all the reports of the various other organs of the United Nations submit to the General Assembly. These are referred to in paragraph 2 of that same Article.

We believe it is appropriate to give a brief account of the steps taken by the General Assembly with a view to strengthening the link the Charter establishes between the main organs of the Organization, in particular between the General Assembly and the Security Council, through various means, including the system of reports.

General Assembly resolution 47/233 of 1993 recalls that the Organization is based on the principle of the sovereign equality of States and that the General Assembly is the only principal organ consisting of all Members in which each State an equal opportunity to participate in the decision-making process. In its operative part, it encourages Member States to participate actively in a substantive and in-depth discussion on, and consideration of, the reports of the Security Council in order to fulfil the relevant provisions of the Charter.

Resolution 48/264 of 1994 invites the President of the General Assembly to propose appropriate ways and means to facilitate an in-depth discussion by the Assembly of matters addressed in the reports of the Security Council.

The process that was begun by the resolutions to which I have referred underwent significant development with the adoption of resolution 51/193 on 17 December 1996. That resolution encourages the Council, in the submission of its reports to the General Assembly, to provide a timely, substantive, analytical and material account of its work. The resolution urges the Security Council to take a set of measures regarding the content of its reports to the General Assembly: first, to include information on the consultations of the whole undertaken prior to action or deliberation by the Council on issues within its mandate, and on the process leading to such action; secondly, to include the decisions, recommendations or progress of work of the subsidiary organs of the Council, in particular the sanctions committees; thirdly, to highlight the extent to which resolutions of the General Assembly, on issues falling within the scope of the General Assembly and the Security Council, have been taken into account by the Council in its decision-making; fourthly, to strengthen further the section in the report on the steps taken by the Council to improve its working methods; and, finally, to include information on requests received under Article 50 of the Charter and actions taken by the Council thereon.

Almost two years have elapsed since the Assembly adopted that resolution which, in broad terms, traced the path for a useful flow of information from the Council to all the States Members of the Organization represented in

the General Assembly, thus permitting the Assembly to carry out thoroughly the role assigned to it by the Charter.

From the report before us, we note in particular the Council's endeavours to improve the content and features of its annual report. Given its importance for proper understanding of the process that precedes adoption of decisions by the Security Council, the inclusion of information on consultations of the whole therefore constitutes an important step. It is desirable to continue broadening and developing this practice. The same applies to the inclusion of the decisions and recommendations of the subsidiary organs of the Council, in particular the sanctions committees.

My delegation wishes to welcome the addition to the report of monthly assessments of the Council's work by the respective former Presidents. This is without doubt the most noteworthy, innovative and positive event to point out. Even if such assessments are included as an information tool and do not represent the opinions of the Council, they constitute an important step in the right direction, aimed at enhancing transparency and enabling the Assembly to carry out a judicious and objective evaluation of the work accomplished by the Council during the relevant period.

We would also like to underscore the Council's consultations on its working methods held during the period covered by the report, as well as the consideration of the position paper prepared by 10 Council members on that issue. We have read the position paper with great interest. My country concurs with the recommendations contained therein, in particular with those tending in the same direction as the proposals presented by the Movement of Non-Aligned Countries to the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council, proposals on which there is unquestionably general agreement.

It is of great importance for the informal working group of the Security Council on documentation and other procedural matters to continue its consideration of these matters so as to arrive at substantive agreements that will contribute to transparency and greater democracy in the functioning of the Council.

Mr. Yel'chenko (Ukraine): I should like to join previous speakers in expressing my delegation's appreciation to Sir Jeremy Greenstock, President of the Security Council for the current month, for presenting the annual report covering the work of that organ from 16 June 1997 to 15 June 1998.

For the past several years, consideration of the Council's annual reports by the General Assembly has offered a special occasion for addressing a number of wide-ranging issues relating to the maintenance of international peace and security, which ultimately is the supreme *raison d'être* of this world Organization.

Judging from past experience, as well as from the debate which is taking place now, this is a good opportunity to dwell on the substance of the issues before the Security Council and to consider the manner in which it carries out its responsibilities as enshrined in the United Nations Charter. Evaluation of the structure and content of the annual account of the Security Council's activities is also an important subject, and we therefore welcome the new format of the Council's report, which contains a number of useful improvements and innovations aimed at enhancing its analytical nature.

I have no intention of questioning the topicality of these subjects, but I would like to place particular emphasis on the issue of the relationship between the Security Council and other current or potential contributors to the maintenance of international stability.

In recent years, we have witnessed growing demands for the development of a strong *esprit de corps* between all the actors in contemporary international relations with the capability to contribute to the maintenance of peace and security. These demands are nurtured by the realization that a coherent engagement and partnership between the United Nations membership, various organs of this Organization, its specialized agencies and regional arrangements, as well as other actors, such as non-governmental organizations, constitute an essential condition for ensuring the success of the efforts of the international community to address and avert the manifold threats to global security.

In view of the requirement for more integrated and coordinated action in this area, we strongly believe that the time has come for the Security Council to make a quantum leap in elevating its relationship with all the constituents that make up together what is called the international community. Primary attention in this respect should be focused on the relationship of the Security Council with the Member States from which it derives all its power and responsibility.

It is undeniable that, over the past few years, the Security Council has taken many worthwhile steps to increase the openness and transparency of its activities. We welcome this progress and encourage the Security Council to continue this pursuit. However, all the valuable practices which the Council has introduced so far cannot substitute for its genuine interaction with the Members of the United Nations that are not members of this organ.

My delegation is strongly convinced that the cornerstone for such a relationship is laid down in Article 31 of the Charter, which says that

> "Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected."

In the view of my delegation, the contents of Article 31 actually imply that non-members of the Security Council are provided with the same rights to influence the decisions of the Council as its members, except for the right to participate in the voting procedure. I think that all we need now is strict compliance with this very clear message of Article 31. It would be difficult for my delegation to concur with any other interpretation of the Charter provisions to which I have referred.

I do not wish to leave the impression that my delegation challenges the practice of the Council's informal consultations, which under some circumstances can represent a useful means of facilitating the search for a compromise in order to ensure prompt action by the Organization. However, neither this practice nor any other consideration can prevent the Council from starting a new phase in the history of its relationship with the increased membership of the United Nations as a whole. What we do challenge and would like to get rid of is the current *modus operandi* under which the overwhelming majority of Member States are practically excluded from the decision-making process of that very important organ, which, in carrying out its duties, acts on their behalf. In this connection, I cannot but fully support the concern voiced by the Permanent Representative of New Zealand with regard to the Council meeting of 6 June this year.

The relationship of the Security Council with other principal organs of the United Nations is another area in which the provisions of the Charter could be better exploited in order to strengthen international cooperation in dealing with traditional as well as new threats to global stability.

Thus, the Security Council's interaction with the General Assembly should not be limited to the discussion of the Council's report now taking place, even if the Assembly's consideration of annual reports of the Council represents some kind of a dialogue between these two main organs of the United Nations. As a more far-reaching step that could significantly elevate such interaction, the Security Council should re-evaluate the potential of its right, enshrined in Articles 11 and 12 of the Charter, to request the General Assembly to make recommendations with regard to situations threatening international peace and security.

The economic, social and humanitarian crises that threaten global stability compel the international community to think more seriously about new mechanisms of multilateral action, as well as new forms of cooperation between the existing institutions. Thus, we cannot but note the growing interest in the initiative of the President of Ukraine, which he personally presented in this General Assembly Hall in 1995, to establish a United Nations economic security council.

Touching upon the same problem, the Secretary-General in his report on the work of the Organization highlighted the need for new forms of cooperation between the principal organs of the United Nations and its Member States. Furthermore, he included a timely reminder of the dormant provisions of Article 65 of the Charter, under which the Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.

In recent years, the Security Council has intensified its dialogue with regional and subregional organizations. We think that this is a good sign. It is widely believed that regional action, as a matter of decentralization, delegation and cooperation with the United Nations, can not only ease the burden of the Council, but also contribute to a deeper sense of general responsibility for the present and future of the planet, as well as to the further democratization of international affairs.

Cooperation between the United Nations and regional organizations continues to grow and in some cases has reached considerably higher levels. In particular, we would refer to the successful examples of such cooperation in resolving the conflicts on the territory of the former Yugoslavia. These days, the international

community is witnessing the establishment of another unprecedented pattern of cooperation in its efforts to achieve a peaceful solution of the situation around Kosovo.

However, in order to avoid situations in which regional action, instead of being part of the solution, becomes part of the problem, it is imperative to keep the activities of regional organizations under the effective control of the Security Council, as prescribed in Chapter VIII of the Charter. It is also important to emphasize that, under the existing norms of international law, the relevant decisions of the Security Council constitute the only grounds for enforcement measures that may be taken by regional organizations, as provided for in Article 53 of the Charter.

By offering these brief but certainly not exhaustive remarks, my intention was to emphasize that the Security Council has a special role to play in establishing a new pattern of international cooperation as we approach a new era with new challenges.

I would like to conclude by expressing my delegation's gratitude and appreciation to all members of the Security Council that have participated in its work during the period covered by the report under our consideration for their valuable contribution to its activities. The manner in which they have performed their duties will be beneficial to all the candidates for non-permanent seats in the Security Council, including my own country, Ukraine, which aspires to be elected to that organ for the period 2000-2001.

This is also an opportune occasion to offer our congratulations to the representatives of Argentina, Canada, Malaysia, Namibia and the Netherlands on the recent election of their countries to serve as non-permanent members in the Security Council, starting 1 January 1999. My delegation would like to wish these countries every success in discharging their very important responsibilities.

Mr. Tello (Mexico) (*interpretation from Spanish*): The General Assembly is today considering the report of the Security Council covering the period from 16 June 1997 to 15 June 1998, submitted in accordance with Article 24, paragraph 3, and Article 15, paragraph 1, of the Charter of the United Nations. I should like to thank the Permanent Representative of the United Kingdom, who is presiding over the Council for the month of October, for following the healthy practice of personally introducing the report.

It is gratifying to note that the members of the Security Council are increasingly sensitive and open to the call of the majority of the Members of the United Nations for information relating to the daily activities of that body. However, we believe that we are far from winning the battle for a detailed, substantive and analytical annual report.

It must not be forgotten that we, the Members of the Organization, delegate to the Security Council responsibility for the maintenance of international peace and security. It receives its mandate from us. It must answer to us.

Access to information is a right, not a privilege, of the Members of the United Nations. It is the duty of the members of the Security Council to keep others properly informed with regard to the issues that it considers and the reasons for the decisions that it takes or considers taking — decisions that, in accordance with Article 25 of the Charter, we all must accept and carry out.

In this regard, the monthly assessments prepared personally by some of the former Security Council Presidents are extremely useful, because they are unquestionably more complete and analytical than the bare factual descriptions included in the section of the report relating to the questions considered by the Council during the period in question.

We are particularly grateful to Costa Rica for issuing its assessment as an official document of the Security Council, and especially for the attachment on working methods. Such initiatives are certainly encouraging because they show that within the Council there is a recognition of the need to improve the work of that body and to reflect upon measures that could be taken to that end.

My delegation, together with most of the delegations represented here, is convinced that in preparing their annual report, the members of the Security Council must take into account the criteria established in resolution 51/193, adopted on 17 December 1996, in particular the measures referred to in paragraph 4 of that resolution.

It would be of particular interest to the Assembly to have information about what happens in the so-called informal consultations of the Council, mysterious conclaves that have become common practice. In those closed meetings, about which we know very little, decisions are taken that may affect all of us.

A transparent Security Council that reports fully and in timely fashion to the General Assembly is a goal that we can attain only with the cooperation of the members of that body. In that respect, we acknowledge the efforts that have been made and urge that they be redoubled, taking into account the recommendations of the General Assembly, which is the most important, representative and democratic body of the United Nations — the body from which the Council derives its authority and jurisdiction. Rather than merely receiving an account of events or a compilation of documents, we would like to know the legal and political foundations underlying the decisions taken by the Council.

In conclusion, I should like to reaffirm that Mexico will continue to play an active part in deliberations on this issue that are taking place in the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council.

Mr. Ortega Urbina (Nicaragua), Vice-President, took the Chair.

Mr. Kolby (Norway): My delegation welcomes this opportunity to consider the report of the Security Council to the General Assembly covering the period from 16 June 1997 to 15 June 1998. We would like to express our appreciation to Sir Jeremy Greenstock, President of the Council for this month, for his excellent introduction of the report.

The work of the Security Council is of the greatest importance to all Members of the United Nations, and the annual report is a useful tool for keeping us informed of the activities of the Council. The General Assembly has a legitimate interest in the activities of the Council. The report must be as informative as possible. The efforts to make it more user-friendly are therefore greatly appreciated, and the more analytical nature of the report demonstrates the willingness of the Council to acknowledge requests made in previous meetings for better information.

The General Assembly and the Security Council have different responsibilities, and the division of labour between the two bodies, established by the United Nations Charter, must be respected. The Council's primary responsibility for preventing conflict and maintaining international peace and security is essential, and nothing must be done that might reduce the Council's ability to carry out its responsibilities in an efficient manner. At the same time, we must recognize that questions of peace and security, conflict prevention and conflict resolution are closely connected to issues that are the responsibility of the General Assembly. These issues include development and the reduction of poverty, development assistance, efforts aimed at reconciliation and confidence-building, human rights, environmental issues and the need to provide all countries with opportunities to participate in the global economy. The activities of the General Assembly are important for combating the root causes of conflicts and promoting an international environment conducive to peaceful cooperation and development. The need for close cooperation and coordination between the General Assembly and the Security Council must be emphasized.

We have already had the opportunity to commend the Secretary-General for the holistic approach chosen in the report on the causes of conflict and the promotion of peace and development in Africa. The report has laid out a path which we, the Member States, should follow. Important first steps were taken when this report was considered by both the Security Council and the General Assembly. The challenge now before us is to further develop this comprehensive approach to the issues before the United Nations while at the same time maintaining a clear distinction between the responsibilities of the various United Nations bodies.

We would like to underline the need for greater transparency in the work of the Security Council. There has been progress over the last few years, and we appreciate the now-established practices for sharing information with non-members. The regular briefings by the President of the Council are important and helpful. The informal briefings given by several members of the Council are also very helpful to members of delegations who spend a considerable amount of time waiting outside the Council's meeting rooms hoping to pick up information.

We also support the idea that the Council should consider the possibility that meetings which are largely informative in nature — such as briefings by the Secretariat or by the Secretary-General's special representatives — be organized as open meetings rather than consultations of the whole. This would of course not preclude the possibility that the Council, after such briefings, would conduct closed consultations on the issue when this is considered useful.

Norway has welcomed the principle of open orientation debates on different issues on the Council's agenda. We are convinced that this practice can be

further developed. It is of course important to make sure that such debates are organized and scheduled in such a manner that the views of the membership at large can be taken into account in the Council's own deliberations on the issue at hand.

It is of particular importance to secure openness and transparency when peacekeeping operations are considered. All countries participating in these operations, including countries that participate with civilian personnel in multi-functional operations, have a particular need to be consulted when such operations are discussed. When a mandate for a new operation is considered, all potential contributors should be given opportunities to present their views. We appreciate the mechanisms established for this purpose and underline the responsibility of all — Council members and troop contributors alike — to make full use of such mechanisms.

Transparency is also important for regional and subregional organizations that cooperate with the United Nations. These organizations have proved themselves to be important instruments for the promotion of peace and security. In Africa, the Organization of African Unity and subregional organizations continue to be valuable partners of the United Nations in its efforts to promote peaceful development. In other parts of the world, regional organizations are also becoming increasingly important in conflict prevention, crisis management and peace-building. The crisis in Kosovo has reminded us what a valuable partner the Organization for Security and Cooperation in Europe (OSCE) can be to the Security Council and the Secretary-General in crisis management in Europe. Our goal must be a better unity of purpose and the integration of United Nations peacekeeping efforts with those of other stakeholders. Norway will assume the chairmanship of the OSCE in January next year, and we are determined to further refine the already well-established working relationship between the United Nations and the OSCE. It is our firm belief that greater collaboration between the United Nations and regional organizations is needed to enhance our common ability to prevent conflicts and reduce the need for future peacekeeping operations.

Let me conclude by reiterating the importance my Government attaches to the work of the Security Council and to the Council's ability to carry out its mandate. It goes without saying that the Council can rely on Norway's continued and loyal support.

Mr. Mra (Myanmar): At the outset, allow me to thank Ambassador Jeremy Greenstock, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations and President of the Security Council for the month of October, for his useful presentation of the annual report of the Council. This practice, initiated five years ago and maintained since then, enhances the relationship between the General Assembly and the Security Council. Our thanks also go to the Security Council secretariat for its efforts, without which the timely submission of the report would not have been possible.

The consideration of the Council's report by the General Assembly provides a useful occasion for the general membership to look at how effectively the Council is fulfilling its obligation to ensure the maintenance of international peace and security, and also at the manner in which it is discharging its cardinal duties. At the same time, this is an occasion for non-members of the Council to present their views on the challenges, both present and future, in the important task of saving ourselves and posterity from the scourge of war, thus contributing to carrying out the tasks of the Security Council.

My delegation is very pleased to note that the new measures set out in the note by the President of the Security Council of 12 June 1997 (S/1997/451) are reflected in both the format and the substance of the report before us. This is a most welcome manifestation of the importance attached by the Council to the views and comments that have been made by the general membership over the years on enhancing the transparency and openness of the work of the Security Council. One of the most important of the new elements that further enhance the substantive and analytical character of the annual report is the monthly assessments provided by the former Presidents of the Security Council for the period under report. Although these assessments are prepared by former Presidents of the Council under their own responsibility, they are the result of consultations involving other members of the Council and thus reflect the generally shared perspectives of the Council members. We find that some of the assessments are presented in a bold and frank manner. This enables us to appreciate the differences in perception among Council members on certain issues. It is, in our view, an indication of an incipient democratization in the Council. In this regard, we would like to urge that this constructive and healthy trend be encouraged as far as possible.

The statistics provided in the report on the number of resolutions, decisions and presidential statements of the Council indicate that last year the Council had a vast agenda, including some dangerous situations in certain parts of the world, and that the workload of the Council was heavy. It promises to remain so in view of the issues and ongoing conflicts of which the Council continues to be seized.

As reflected in the report, last year there were new situations that threatened peace and security. In dealing with these situations, the Council in some instances had to resort to measures under Chapter VII of the Charter. Although it is acknowledged that the Security Council has the right to take the necessary measures when international peace and security are clearly threatened, the Council should resort to sanctions only after other measures have been duly exhausted. In our view, it is also important that humanitarian crises should not be used as pretexts for invoking Chapter VII measures. Frequent use of sanctions by a unique organ such as the Security Council, where democracy is conspicuous by its absence, may be perceived as the coercive political tool of a few powerful countries on the Council rather than as a useful international policy tool to deal with threats to international peace and security. As experience clearly shows, the existing sanctions that have been imposed on some countries are frustratingly difficult to lift for a variety of reasons, which prolongs the misery brought by those sanctions to the countries concerned and the economic difficulties of third countries which are required to implement the sanctions. Despite the fact that a new trend concerning sanctions is taking shape in the Council, this should not encourage an obvious tendency in the Council to resort to sanctions at the first opportunity. We would like to suggest that the principles on sanctions set forth in General Assembly resolution 51/242 should guide our decision-making on this matter.

Situations which would require the application of sanctions regimes may be very few. However, their implications for regional peace and security are always serious enough to warrant special arrangements to ensure the smooth flow of up-to-date information to the general membership on the decisions and activities of the Security Council concerning sanctions regimes. Furthermore, it is legitimate for the general membership to expect such information. In this regard, submission of special reports by the Security Council to the General Assembly in accordance with Article 24 (3) of the Charter and mechanisms such as special briefings would facilitate the smooth flow of information to the general membership. Myanmar favours the view that the Security Council should submit special reports to the General Assembly on specific important situations. These special reports would complement the annual reports of the Security Council and would promote and enhance the interactive relationship between the two principal organs of the United Nations.

My delegation is pleased to observe the commendable initiatives taken by some Presidents of the Council on the issue of working methods of the Council. I refer in particular to the position paper on working methods of the Security Council prepared by the elected members of the Council. My delegation subscribes to the proposals contained in the paper for the democratization and improvement of the working methods and decision-making of the Security Council. It is encouraging that the members of the Council were able to consider the issue, although in a preliminary manner. This signifies that Council members appear to be committed to the enhancement of transparency and openness in the Council's work.

Before concluding, I wish to state that we, like all other members, welcome Security Council resolution 1121 (1997), which established the Dag Hammarskjöld Medal as a tribute to those men and women who have made the ultimate sacrifice in peacekeeping operations under the operational control and authority of the United Nations.

Finally, I would like to stress that it is the responsibility of all of us to enhance the relationship between the General Assembly and the Security Council in all its aspects. As proven by this year's annual report, we do not shy away from this important duty. We believe that the present debate on the annual report, together with other existing mechanisms and channels set up for this purpose, will make us understand better the priorities and preferences of both organs. We also hope that the debate will contribute to the further improvement of the annual report of the Council.

Mr. Gambari (Nigeria): The General Assembly is meeting today to discuss the report of the Security Council for the past year, submitted for the consideration of the Assembly. My delegation would like to thank Ambassador Sir Jeremy Greenstock of the United Kingdom, President of the Council for the month of October 1998, for introducing the report. As usual, the report is a guide to the activities of the Council for the period under review. My delegation wishes to take this opportunity to reiterate its appreciation for the

comprehensive report, which reflects the ongoing rationalization of the Council's documentation and procedures.

The submission of this report by the Security Council and its consideration by the General Assembly will enhance the cooperation between the two principal organs of our Organization. This is essential because the Security Council executes its mandate on behalf of the whole membership of the United Nations. We note that during the year under review the Council held a total of 103 formal meetings, adopted 61 resolutions and issued 41 presidential statements. This impressive record of activity shows how seriously the Council takes its assignment of maintaining international peace and security. However, it must work harder to match its record of meetings, statements and resolutions with a corresponding record of accomplishment in order to resolve the conflicts before it.

My delegation attaches great importance to the activities of the Council on matters of direct relevance to my region, Africa. Conflicts, especially in the continent of Africa, dominated its agenda during the period under review. The Council held meetings on the situation in Sierra Leone, the Central African Republic, Angola, Western Sahara, Rwanda, the Republic of the Congo and Somalia, culminating with the recent meetings on the causes of conflict in Africa and the promotion of sustainable peace and development on the continent.

Africa is indeed endowed with immense natural and human resources. Unfortunately, it has had more than its fair share of regional and internal conflicts on the Security Council's agenda. These conflicts have adversely affected the unity, security, progress and socio-economic and political development of our continent and have generated serious apprehensions on the part of the international community. They have also brought alarming human suffering and deprivation, creating swarms of refugees and internally displaced persons. My delegation is pleased that the Council is currently giving special consideration to the root causes of these conflicts with a view to finding appropriate mechanisms to resolve them. Africa is a force to be reckoned with in international affairs. There can be no global peace or world prosperity without the stability and development of the African continent, which must be assisted to come out of its cycles of instability and poverty.

My delegation shares the Secretary-General's views contained in his report on African conflicts that long-term solutions to conflict situations on our continent require a holistic approach linking peace, security, good governance, respect for human rights and the rule of law and sustainable development.

At this juncture it is appropriate to draw attention to the link between peace and development. In many conflicts in Africa and elsewhere, socio-economic inadequacies are a significant aspect of their underlying causes. It is time to review our commitment to the linkage between peace and development in order to ensure the transformation of the fragile peace which still exists in many post-conflict situations in Africa and elsewhere into real and sustainable peace. Our actions and decisions in our quest for a peaceful and secure world must be guided by the fact that peace and development are mutually reinforcing.

However, my delegation wishes to reiterate here the need for the urgent reform and democratization of the working methods and procedures of the Security Council in order to enhance its transparency, its legitimacy and, ultimately, its effectiveness. The membership should be expanded in both the permanent and non-permanent categories. We have continued to assert that Africa deserves two permanent seats in a reformed and expanded Security Council. We have also stated unequivocally that the present status quo whereby Africa — with 53 Member States of the Organization — has no permanent seats in the Security Council is both unacceptable and increasingly untenable.

The reform of the Security Council must also encompass the proper relationship between it and the General Assembly. This relationship ought to be improved upon in terms of closer cooperation, closer coordination and more regular consultation in order to enhance the overall effectiveness of the work of our Organization. The Assembly should play a more active role in the maintenance of international peace and security, a domain that has so far been dominated by the Council. After all, although the Security Council has the primary responsibility for the maintenance of international peace and security, it does not have exclusive responsibility for it.

We cannot end this statement without drawing attention to the now obvious fact that the Security Council needs the initiatives of regional institutions as a necessary adjunct to the maintenance of international peace and security. The success story of the Economic Community of West African States (ECOWAS) Monitoring Group (ECOMOG) in the West African subregion, especially in Liberia and Sierra Leone, clearly

demonstrates that such regional initiatives, where they exist, stand a far greater chance of success if they are adequately and promptly supported by the Security Council in its peace-making and peacekeeping efforts. This success is further proof of the necessity for cooperation and consultation between the United Nations and subregional organizations. ECOMOG represents a unique initiative by a subregional organization within the framework of regional arrangements with regard to crisis management and conflict resolution.

Finally, we would like to remind the Security Council not to relent in its efforts to provide ECOMOG with the technical and logistical support it requires to execute its ongoing mandate in Sierra Leone. We appreciate the Secretary-General's efforts to strengthen the United Nations office in Freetown, as well as its involvement in the disarmament and demobilization of the combatants and the deployment of military liaison and security advisory personnel to Freetown. However, it is our view that much more needs to be done on the part of the international community to strengthen cooperation in very concrete and real terms between the United Nations, on the one hand, and subregional and regional organizations, on the other hand, in their complementary role in the maintenance of global peace and security.

Mr. Elaraby (Egypt) (*interpretation from Arabic*): It is a pleasure for me to extend my thanks to Ambassador Sir Jeremy Greenstock, the Permanent Representative of the United Kingdom and President of the Security Council for the month of October, for presenting to the General Assembly the report of the Council for the period 16 June 1997 to 15 June 1998. I would also like to extend my thanks to the Secretariat for the preparation of the excellent report submitted to us.

I would first like to begin by making two general comments. First, the submission to the General Assembly of the annual report by the Security Council is a constitutional requirement in accordance with the provisions of Article 15 of the Charter. It highlights the fact that the Council is accountable to the Assembly in its capacity as representing the United Nations membership on whose behalf the Council undertakes its tasks. Indeed, the report represents the link and the concrete relationship between the two organs spelt out by the Charter, in particular with regard to the maintenance of international peace and security.

The discussion of the Council's report is a key tool for the General Assembly to carry out its mandate in following up on the work of the Council and to discuss the measures taken by the Council in order to issue recommendations relative to these matters. I would like to say here that, along with the provisions of the Charter governing the relationship between the Assembly and the Council, the advisory opinion of the International Court of Justice delivered in 1962 contributed a great deal in confirming this relationship between the General Assembly and the Security Council in an official manner.

Secondly, many of the points I will make have already been adopted in General Assembly resolution 51/193, adopted on 17 December 1996. The primary objective of that resolution was to provide international affirmation of the relationship between the General Assembly and the Security Council and to provide the greatest possible amount of democratization and transparency in international relations.

We must admit here that the present report represents a notable improvement over previous ones. It is more coherent and user-friendly, and we appreciate this. However, I think there is great room for improvement, and here I should like to remind the Assembly of the paper submitted by the group of 10 — the countries that are non-permanent members of the Security Council, including Egypt — on 22 December 1997, and which the President of the Council, the Ambassador of Costa Rica, attached to his report as Security Council President for that month and which included recommendations to improve the working methods of the Council.

In this context, allow me to make the following comments.

First, this year's report is still using the narrative style, which we have always criticized. As a result, the reader of the report cannot sense what are the real currents of thought prevailing in the Council. We believe that the report should be divided into objective, analytical and descriptive parts, thereby reflecting the background for the issues considered by the Council, its activities over the year and the viewpoints of all the parties involved, as well as the circumstances surrounding the adoption by the Council of its various resolutions, on every issue.

For the report to bear fruit, the General Assembly should be able, after considering it, to give its specific opinion on the issues covered by the report, either through an independent follow-up outside the purview of

the mandate of the Council or through specific recommendations to the Council with respect to its opinion on the issue, in accordance with the text of Article 10 of the Charter.

Second, one might say that the report, to a large extent, still seems like a compendium of documents already distributed to and read by Member States, which is a waste of time and money. It is not really of value from a functional or a political perspective, and runs counter to the United Nations austerity policy. Anyone who is interested in the issues discussed by the Council does not need to drown in endless lists of the titles of communications received by the Council or resolutions adopted by it, and so on. I think that the report can merely cover documents which are not included in the compendium of the Security Council's decisions and resolutions.

Third, any organ, to function effectively, needs a constitutional framework governing its responsibilities, mandate, rights and duties. It also requires a procedural framework that defines its *modus operandi*. We do not think that the Council can continue its work without clear rules of procedure governing its methods of work, because the rules of the Council are still provisional — and here I do not deal with why they have remained provisional all these years — and they do not apply, for example, to closed consultations in which everything done by the Council is prepared. For example, a State cannot just ask to participate in private meetings to express its point of view before the Council on a matter of interest to it, though the provisions of Article 31 of the Charter and of rule 37 of the rules of procedure allow this.

Fourth, it is said that there are undefined and unrecorded practices that govern the Council's closed consultations. These have developed as a matter of custom and have no written records. The group of 10 non-permanent members of the Council specifically highlighted, in the introduction to the paper submitted in December 1997 and which I mentioned earlier, that

(*spoke in English*)

> "A process of registration of such practices should be embarked upon to provide elements of clarity and certainty without in any way hindering the Council from developing and further articulating these practices."

(*spoke in Arabic*)

I think that this is very important because the Council does not work in a procedural void.

Fifth, the descriptive part of the report should contain a factual summary of discussions held in private sessions, especially, and as I mentioned earlier, in view of the fact that the Council carries out the bulk of its work at private, non-recorded private meetings.

Sixth, the assessment made by the President of the Council, under his own responsibility and in his own capacity, represents progress yet does not express the opinion of the members of the Council. It is also an instant photographic record of what happens inside the Council, and here we think that the assessment should have an analytical element and should be adopted by the Council itself.

Seventh, holding meetings under the "Arria formula" is a good practice which we encourage, but in order for it to be fully beneficial, it must be more flexible, because until now it has taken the form of private meetings to which usually high officials coming from capitals are invited to meet with Council members. We think that these meetings should be open to Permanent Representatives. The report should contain an objective description of those meetings or deliberations. No further proof of the need for records for the Council's meetings is required beyond the fact that the members of the Council had asked Ambassador Arria of Venezuela last year to remind them of the background for his initiative, in this regard.

Eighth, the report lacks an analysis of the situations leading to the imposition of sanctions and of the objectives and consequences of such sanctions. I think that an evaluation of the results achieved is needed in the report to assess how effective the sanctions are, how supportive they are of, or in consonance with the purposes and principles of the United Nations, and their impact on the domestic and regional fronts of the targeted country. Here we would like to draw the attention of the Council to the working paper on sanctions adopted by the General Assembly within the framework of "An Agenda for Peace". We were hoping that the Council would benefit from it.

In this connection, I think that the Council should think about affording members on which sanctions are going to be imposed and other affected States the

opportunity of expressing their views to the Security Council before such sanctions are imposed or renewed.

Ninth, the meetings of the sanctions Committee should be official and public, with records taken during private sessions, both of which should be featured in the report.

Tenth, we welcome the continued practice of holding consultations between the Council and Members contributing troops to peacekeeping operations. However, in order for the consultations to really understand the reality of the problems faced by such forces in the field, they should not become routine meetings. I think that allowing the troop-contributing States enough time to consider the various relevant reports of the Secretary-General would increase their objective contribution, thereby enriching the meetings by allowing both the political and military dimensions to be taken into account. The report should objectively reflect the deliberations of such meetings instead of merely stating when they were held, as is the case with the present report. It is high time the Council invited troop-contributing countries to partake in decision-making regarding the use of armed forces of Members, in accordance with Article 44 of the Charter.

Finally, in accordance with Article 24, paragraph 3, of the Charter, along with the annual report submitted by the Council to the General Assembly, special reports are required on specific issues of which the Council is seized. Here I would like to remind the Assembly again of the joint paper submitted to the Council by Egypt and Indonesia in 1996. It included an exhaustive list of cases in which the Council should submit special reports to the General Assembly.

In conclusion, I have unfortunately to express my regret that the report of the Council to the General Assembly did not heed the recommendations of General Assembly resolution 51/193. Nor does it explain why that resolution was not heeded.

One final point: I hope that the Security Council will heed the rising calls for a fresh look into its working methods so that whatever actions it may take will have more credibility and legitimacy.

Mr. Amorim (Brazil) (*interpretation from Spanish*): It is a pleasure to see you, Sir, chairing our work.

(spoke in English)

I wish to thank the President of the Security Council, Ambassador Jeremy Greenstock, for his balanced and objective presentation of this year's report to the General Assembly. We attach great value to this practice, which was introduced in 1993 by my predecessor, Ambassador Sardenberg, and we are glad to note that it has now become an established tradition.

The Security Council has continued to meet on an almost daily basis during the period covered by this year's report — and in the four months that have elapsed since then — to tackle a multiplicity of challenges in different parts of the world. To start with our own region, we note that there is only one remaining item on the Council's agenda that deals with a country in the Americas — specifically, the situation in Haiti. Although the return of democratic rule to that sister nation has yet to give rise to the kind of institutional consolidation conducive to an improved social and economic environment, Haiti's problems should not continue to be viewed indefinitely through the prism of the maintenance of international peace and security.

In line with the philosophy espoused by the Secretary-General in his latest report on the work of the Organization — a philosophy that we ourselves have been advocating — the time has come for placing Haiti in a different United Nations context, with the Economic and Social Council and the General Assembly taking up their responsibilities in promoting longer-term peace-building tasks, which the Security Council is not in a position to assume and should not assume.

Secretary-General Kofi Annan's recent trip to Latin America, which included visits to Brazil, Argentina, Uruguay and Mexico, came at a moment of heightened regional awareness of the importance of international cooperation for the peaceful settlement of disputes. As we make strides to harmonize and integrate our region on the basis of shared humanism and respect for international law, we also remain intent on stressing our commitment to the multilateral system for the maintenance of peace and security, as embodied in the United Nations Charter. Latin America has played a pioneering role in building up and living by a culture of peace. The Treaty of Tlatelolco established the first nuclear-weapon-free zone 30 years ago. The few remaining territorial disputes in the area are being effectively dealt with by diplomatic negotiation. Only a few months ago, at the southernmost tip of South America, in Argentina, the declaration of Ushuaia was

adopted, on the creation of a zone of peace and cooperation free from weapons of mass destruction — a zone encompassing the six countries that are members or associated States of the Southern Cone Common Market: Argentina, Brazil, Paraguay, Uruguay, Bolivia and Chile.

As we aspire to associate peace with justice and greater economic opportunity for all, in our part of the world we will continue to work closely with those in other regions who share these aspirations and are ready to join hands in promoting a worldwide move away from belligerence and instability, with a strong United Nations at its centre. We are happy that next year we will have the company of Argentina in the Council. We would also like to acknowledge the excellent contribution made by Costa Rica.

Current trends, however, do not allow us to feel entirely confident that the world is becoming a safer place or that the Security Council's authority is not at risk. As the more utopian expectations raised by the end of the cold war subside, it is disquieting to note the persistence of intractable conflicts in the Middle East, the Balkans and the fringes of the former Soviet Union, as well as in several parts of Africa. The nuclear testing in South Asia has added a new and worrisome dimension to that region's security problems.

At the same time, it may be even more unsettling to witness our commonly accepted basis for legitimate international action in the field of peace and security — the United Nations Charter — being circumvented, for whatever reasons. Without going into the individual merits of specific decisions by regional organizations and other non-universal bodies, these waivers — proclaimed outside the United Nations legal standard — are symptomatic of a lack of confidence in the Council's judgement, which should be a matter for deep reflection by all Member States. It would be truly disheartening if the post-cold-war period, instead of setting the stage for an era of greater international cohesion, were to degenerate into new patterns of fragmentation and spheres of influence, to the detriment of the principles and objectives of the United Nations Charter.

This Organization experienced a moment of renewed confidence in its capacity to articulate constructive diplomatic responses to international crises when Secretary-General Kofi Annan returned from Baghdad with a Memorandum of Understanding re-establishing cooperation between the Iraqi Government and the United Nations Special Commission (UNSCOM). Nevertheless, a sustained pattern for such cooperation has yet to be achieved. Until the day that Iraq is in full compliance with its obligations, the Security Council will not be in a position to turn the page on the consequences of its past aggression against Kuwait. At present, the concept of a comprehensive review of what has been achieved and what is lacking under the sanctions regime offers the best possibility for progress and deserves to be approached in earnest. Full cooperation by Iraq with UNSCOM and the International Atomic Energy Agency must, of course, be established beforehand.

In Africa, the promise of peace associated with the end of apartheid has yet to be translated into the true African renaissance imagined by Nelson Mandela. The stark contrast offered by the nightmarish conflict in Angola would suffice to dispel any illusions. The defiance with which Jonas Savimbi continues to systematically flout his repeated commitments to disarm and join in the building of his country has provoked, in the region and beyond, a degree of outrage that is reserved only for a handful of other notorious figures in our contemporary world. Still, no end to the suffering of the Angolan people is in sight, while the Council seems powerless to make sure that its own resolutions are implemented.

In the Balkans the cycle of intolerance unleashed by the fragmentation of the former Yugoslavia is still running its course of pain and devastation. We have followed with increasing uneasiness the plight of the Kosovar people and agree with those who believe that the international community has a collective responsibility to prevent humanitarian crises from degenerating into human catastrophes. The international community must try to reach a better understanding, however, on the multilateral basis for resorting to coercion on humanitarian grounds. The open debate in the Security Council on this issue — which took place very recently, in September — did not come to a clear convergence of views, and further discussion is certainly necessary on this matter. Let us recall that, however, that at present the only accepted basis for using force without Security Council authorization is Article 51 of the Charter, which provides for the legitimate right to self-defence. This provision does not allow for enlarged interpretation.

The Security Council's credibility was greatly enhanced at the beginning of this decade, when it appeared that working towards consensus was in the best interest of all its Members. But as the international community grapples with the turbulence provoked by

financial instability, and potentially destabilizing precedents are established in the international political sphere, some observers have begun to talk — somewhat ominously — of the end of the relatively benign post-cold-war period.

In order to re-establish confidence in our institutions and in our capacity to work towards consensus, we must agree on certain fundamentals. United States President Bill Clinton, in his courageous statement made in Rwanda in March, pointed out that the only crucial division among the peoples of the world at the dawn of the new millennium is the line between those who embrace the common humanity we all share and those who reject it; those who find meaning in life through respect and cooperation and those who embrace war. This is a pronouncement with which we agree entirely.

Such a philosophy is incompatible with an attachment to outdated oppositions between East and West or between North and South. It is diametrically opposed to the dark prophecies contained in false notions such as the so-called clash of civilizations. Peoples from all walks of life, irrespective of creed, culture, or ethnic background, are beginning to appreciate the benefits of cross-fertilization between different traditions. Today it is possible to contend that the legacy of Mahatma Gandhi is just as relevant to the moral upbringing of students in industrialized countries as is that of Raoul Wallenberg to those of developing ones. Our times have made a reassessment of old stereotypes possible and a better understanding of our common destiny as a species an imperative. Concepts of East and West, North and South, have to be seen in this perspective.

The only instruments at our disposal that will succeed in joining together all those who embrace our common humanity are those capable of being perceived by the entire international community as representative of universal interests. The United Nations is the only such organ in the field of peace and security. The Security Council should be its respected voice. We must strive to preserve its authority and work towards its enhanced stature.

In order to ensure that the Security Council does indeed maintain its role in promoting peace in the years to come, it will be essential for Member States to confront the urgent need to finalize the process of United Nations reform by agreeing on the shape of an expanded and modernized Council. The elements of a reform that is both meaningful and feasible are known to each and every one of us. They involve expansion in the two categories of members, permanent and non-permanent, with the presence of developing countries in both of them, on a non-discriminatory basis vis-à-vis developed nations. Reform also implies added transparency both within the Security Council — in the relation between permanent and non-permanent members — and in the relations of the Security Council with other bodies, particularly the General Assembly. It requires a decision-making process that combines fairness with effectiveness, realism with equity.

The gradual erosion of the legitimacy and credibility of the Security Council is not a risk for the distant future. It is a process that has already started. It is incumbent upon us, Member States, to stop this process and indeed to reverse it. Reform is not a panacea. It will not change by magical fiat the old thinking of some and the diffidence of others. But it is an indispensable requirement. We may choose to ignore it only at our own peril.

Mr. Sáenz Biolley (Costa Rica) (*interpretation from Spanish*): Costa Rica is particularly gratified, Sir, to see you presiding over our meeting today. We are glad to participate in the consideration of the report of the Security Council to the General Assembly covering its work during the period from 16 June 1997 to 15 June 1998.

Over the last 22 months, my delegation has been honoured to represent the Group of Latin American and Caribbean States as one of the elected members of the Security Council. In that capacity, Costa Rica has striven to be a worthy representative of our Group and to promote the basic principles of our foreign policy: the promotion of human rights, respect for international humanitarian law, fulfilment of the principle of non-intervention, absolute compliance with the prohibition of the use of force and the promotion of democracy as the best way to achieve the right of peoples to self-determination.

We are convinced that the activities of the Security Council must necessarily be guided by these clear-cut and generally applicable principles. We believe that a constant effort must be made to avoid yielding to the temptation to seek pragmatic and easy ways out of the crises that the Security Council addresses. We believe that, since the Security Council deals with the most serious and sensitive situations affecting international relations and threatening peace and security, the Council should seek correct and lasting solutions to such crises.

In the context of the consideration of the report of the Security Council to the General Assembly, I wish to highlight just a few aspects of the work of the Council. First of all, I will note the complex nature of the causes of crises and the need to find integrated solutions to them, including the carrying out of multidisciplinary peacekeeping missions and operations. Secondly, I will draw attention to the need for the Council, in its proceedings, to observe strictly the principles of sovereignty and sovereign equality of States, as well as the norms embodied in the Charter of the Organization. Thirdly, I will refer to the need for the measures adopted by the Security Council — in particular, sanctions — to adhere strictly to international humanitarian law and to be limited exclusively to such measures as may be absolutely necessary.

Furthermore, taking into account the fact that the bulk of the Security Council's work in this period has been focused on Africa, I shall be referring to the situation in that continent. I shall also be mentioning the nuclear tests that took place in May this year, which, in our view, represent one of the gravest events that took place in the period under consideration.

First of all, all the crises that are on the agenda of the Security Council have complex causes. Nowadays, the sources of threats to international peace and security transcend traditional concepts and include economic and social issues, and in particular, issues relating to the failure to respect human rights. We believe that we must move on from the traditional concept of political armed conflicts among States to embrace a much more integrated and comprehensive concept of threats to peace and security. Such a concept would include situations of extreme poverty, critical economic and social underdevelopment, the violation of human rights, massive flows of refugees or internally displaced persons, ethnically-based civil wars, extreme degradation of the environment, terrorism and even certain socio-political phenomena such as corruption, drug-trafficking, international crime, fundamentalism and intolerance, all of which have become required items on the global security agenda.

We believe that we must find multidisciplinary solutions to these crises and develop and establish specific proposals and mechanisms for well-defined action in response. In this context, peacekeeping missions cannot continue to be designed exclusively from the military perspective, but must also include political and humanitarian components. Today, peace and security can be built only through a comprehensive undertaking that goes beyond ceasefire monitoring to encompass other, indispensable elements in the transition process from conflict to peace and democracy, such as the promotion of economic development and human rights, the building of trust among various political actors, and the monitoring of elections.

Secondly, it is essential that the Security Council scrupulously respect in its proceedings the principles of sovereignty and the sovereign equality of States, as well as the norms embodied in the Charter of the Organization. The Security Council acts on behalf of all States Members of the United Nations when it discharges its primary function of maintaining international peace and security. That is why the Council's activities should not and cannot be secrets kept from States Members of the Organization. Its functions require the basic criterion of transparency. The Security Council's action must also be effective, however. We must therefore acknowledge that, on certain occasions — exceptional, to be sure — some confidentiality and privacy are required in the decision-making process.

Moreover, if the Security Council is to work effectively, it must receive the broadest possible information from the membership. This need, together with the basic criterion of due process, requires the strict application of Articles 31 and 32 of the Charter, which permit States Members of the Organization which are not members of the Security Council to participate in discussions without the right to vote.

These considerations prompted the elected members of the Security Council, in December 1997, to present a position paper on the Council's working methods. The document is reflected in the report under consideration as part of the monthly assessment prepared by my delegation for December 1997. Many aspects of this position paper have been incorporated into that organ's practices. Unfortunately, some key proposals have yet to be incorporated.

As we noted in that paper, we take the view that the convening of open meetings of the Security Council should be the norm. Informal consultations, in the strict technical-legal sense, are not meetings of the Security Council. No decision may be taken at such consultations, nor do they fulfil the obligations articulated in Articles 31 and 32 of our Charter. We believe that all States Members of the Organization, and in particular the States directly interested, are entitled to express their views on situations under consideration by the Council in the earliest stages of that consideration.

We also believe that the Secretary-General and his representatives should submit their reports to the Security Council more frequently and in public meetings. It is simply unacceptable for the Secretary-General to regard certain information as secret and for most Members of the Organization not to have access to it. We therefore call on the Secretary-General in the future to present his reports, as a general rule, at public meetings of the Security Council.

Furthermore, we are particularly glad to welcome the incorporation of the monthly assessments prepared by former Presidents of the Security Council into the annual report to the General Assembly. We believe that the inclusion of these assessments represents a significant contribution to the quality of the report before us.

Thirdly, we feel that the measures adopted by the Security Council, in particular sanctions, should conform strictly to international law and to healthy political thinking. The adoption of any measure that entails the use of force or military elements must satisfy all the vital legal, political and strategic requirements. Any action of this kind requires the clear authorization of the Security Council in each specific case, and we do not believe that authorizations should be granted without clear limits or a basis in a subsequent decision of other organs or groups of States. To do so would involve the Security Council's renunciation of its primary and untransferable responsibility for the maintenance of international peace and security. This consideration is particularly pertinent nowadays, especially in the light of developments in the Balkans.

Any measure adopted by the Security Council must clearly define its political, strategic and practical goals, as well as a pre-established programme of subsequent action. In any event, any measure taken should guarantee the provision of humanitarian assistance to the victims of conflict and the scrupulous respect for and promotion of human rights.

When the measures adopted take the form of sanctions or prohibitions, these should comply strictly with international humanitarian law and be confined exclusively to such measures as are absolutely indispensable. We feel that sanctions are solely a means of collective self-defence for the international community, designed exclusively to exert pressure on Governments or authorities that threaten peace and security. That is why sanctions should not become a method — more or less covert — of intervening in affairs that fall essentially within the domestic jurisdiction of States. They should be used as a last resort, before the use of force is authorized, in cases in which there is a clear and objective threat to international peace and security.

In addition, and as a necessary corollary to the aforementioned principles, sanctions should always be interpreted and applied so as to ensure the well-being of the civilian population. Humanitarian exceptions are vital elements of any sanctions regime. In this respect, my delegation prefers sanctions designed to punish the leaders responsible for unlawful policies directly, rather than the population at large. This kind of sanction, however, should be particularly respectful of the human rights of the individuals involved, make the assumption of innocence and avoid affecting minors. Moreover, because of their punitive nature, sanctions should be interpreted in a restrictive way by those responsible for implementing them.

Similarly, my delegation does not accept the existence of perpetual sanctions. Any sanctions regime must be temporary and based on clear and objectively determinable conditions for its lifting. A sanctions regime that is not subject to a deadline is in itself a violation of the basic rules of peaceful coexistence among people. In this context, we welcome the new developments with respect to the Lockerbie terrorist attack and the sanctions against Libya.

Costa Rica also believes that sanctions must necessarily be accompanied by dialogue among the parties so as to enable the Government subject to a sanctions regime to change its policies and thus adapt its conduct to the requirements of the international community. Sanctions are not an end in themselves, but should be part of an overall strategy designed to find a peaceful political solution to the crisis from which they have arisen. Costa Rica therefore supports the Secretary-General's proposal for a comprehensive review of the relationship with Iraq as soon as that country resumes its cooperation with the United Nations Special Commission and the International Atomic Energy Agency.

In the period under consideration, the Security Council's agenda was dominated by various crises in Africa. Experience has taught us that the use of force has not settled African disputes or resolved the serious problems besetting the peoples of that continent. On the contrary, those wars have exacerbated the human tragedy.

We must acknowledge that the international community cannot and must not seek to impose on African countries external solutions that are alien to their way of life and their national and regional experiences. It is for Africans themselves to define and establish, through their own regional and subregional structures, their own models for achieving peace, development and respect for fundamental freedoms and rights. In this regard, we believe that a new vision is required for African countries, one that takes into account their exceptional situation and their own priorities and is designed to promote the building of a genuine and sustainable peace. In this context, it is furthermore vital, in parallel with that process, for the leaders of Africa to show a creative, responsible and unprejudiced attitude with regard to a number of political issues.

In conclusion, I should like to refer to the nuclear tests carried out in Asia in May this year. My delegation believes that among all the events of the period under consideration, those tests have some of the widest repercussions. We believe that they are a challenge to the repeatedly expressed will of the international community, a dangerous ingredient in the build-up of nuclear tensions and an assault on international peace and security. We are afraid that similar incidents may occur in the future, forcing the Security Council to consider the matter once again.

For my delegation, these months have been a period of arduous labour. Our commitment to the basic principles that I outlined earlier — respect for sovereignty, sovereign equality, democracy and human rights — has remained unswerving, while at the same time we have striven to apply these principles to the harsh realities faced by the Security Council.

Mr. Li Hyong Chol (Democratic People's Republic of Korea): First of all, I should like to say that my delegation takes note of the report of the Security Council submitted to the General Assembly.

In ensuring international peace and security, in conformity with the purposes and principles of the United Nations Charter, the responsibility of the Security Council is important indeed, which is why all Member States are paying special attention to the activities of the Security Council.

The attention given by Member States to the activities of the Security Council has increased considerably, particularly in the present international situation, after the end of the cold war. A large number of countries expect the Security Council to act properly, in accordance with the functions and principles envisaged in the United Nations Charter, and their enthusiasm to directly participate in and contribute to the Council's activities is growing more than it ever has before.

This reality gives rise to the need for United Nations Members to review in detail and from a new angle all aspects of Security Council activities and to bring about radical changes, so as to ensure that the Security Council makes a real contribution to the maintenance of peace and security.

The non-permanent members of the Security Council are elected, and the Council carries out its duties on behalf of the general United Nations membership, pursuant to Articles 23 and 24 of the United Nations Charter. It is therefore certain that the Security Council should have its work reviewed and assessed by the General Assembly, which comprises 185 Member States. We should seize the opportunity to do so during our deliberations on the item now before us.

In my delegation's view, it is essential for the Security Council to ensure impartiality and transparency in all its activities. In this regard it is important for the Security Council to decisively improve the quality of its annual report. The report presented to the General Assembly lacks information needed for correctly assessing the annual work of the Security Council. It is of a procedural nature, containing only the dates of meetings, resolutions and so forth. Accordingly, the report does not help us to have a proper understanding of the Council's activities.

The Council's annual report presented to the General Assembly should certainly give a substantive and analytical account of its annual work, not simply remind Members of the records of the meeting — which have already been made public — so that the positive and negative aspects of the Council's work can be differentiated. For this purpose, the report should include detailed information concerning, in particular, the process of adopting and implementing resolutions and of informal consultations and the activities of the subsidiary organs of the Security Council.

In recent years we have often heard complaints from Member States that the activities of the Security Council lack impartiality and transparency and that the Council is dealing with disputes in an unjust manner according to

the will of certain countries. In order for the Security Council to make a real contribution to the maintenance of peace and security through just activities, it should discard its way of thinking and its working methods, inherited from the period of the cold war.

If the Security Council continues, as it has in the past, to deal with matters in a biased manner, without taking into account the views of the parties concerned and by persistently maintaining informal consultations as its main working method under the pretext of ensuring efficiency in the Council's work, no one can expect positive results. Rather, this will fuel confrontation among the parties concerned, thus further aggravating disputes.

The activities of the United Nations for the maintenance of international peace and security should be undertaken in a way that will reflect the views of the international community; and the views of the international community should be formed in a democratized and open forum on the basis of the principle of impartiality, not in an undemocratic and closed Security Council. To this end, the parties concerned should be allowed to participate in informal consultations, their views should be respected and the process should be made public.

We oppose the current working method of the Security Council by which, through informal consultations, certain big Powers are depicted as defenders of the peace and weak countries are depicted as breakers of the peace. This was manifested recently by the fact that Japan, which is obsessed with groundlessly finding fault with us, abused the Security Council so as to slander my country unjustifiably. Japan brought the issue of our satellite launch to the attention of the Security Council. Given its nature, that issue is not one that should be discussed in the Security Council.

In this regard, we cannot but call into question, first, that the Security Council took up the issue of our satellite launch, even though there is no doubt that it was not a matter to be dealt with by the Security Council, and, secondly, that the Security Council issued the so-called press statement after discussing the issue in a private room, by a trick of Japan, and then described it as though it were the view of the international community.

This clearly shows how impartiality is being ignored, how the view of the international community is being fabricated in a closed setting of the Security Council and how the Council is being abused by certain countries for their own political purposes instead of fulfilling its mission for the maintenance of international peace and security.

If the Security Council is to ensure impartiality in its activities, it is also important for it to draw appropriate lessons from its past serious wrongdoings resulting from abuses committed by certain big Powers for their own purposes and to take corrective measures in conformity with today's changed situation.

As is well known, in 1950, the United States illegally brought the Korean question to the Security Council for discussion, without our being present, and forcibly engineered the adoption of a resolution in contravention of Article 27, paragraph 3, of the United Nations Charter. This led to the abuse of the name of the United Nations by the United States and its intervention in the Korean war. Even today, the United States is attempting to justify the presence of its troops in South Korea.

We cannot remain indifferent to the abuse of the name of the United Nations by the United States in order to use its armed forces and achieve its military strategy. We believe that the Security Council should take effective measures to rectify this kind of past wrongdoing.

At its thirtieth session, in 1975, the General Assembly adopted resolution 3390 B, calling for the dissolution of the United Nations Command in South Korea on the basis of recognition of the urgent need to take new, decisive measures for terminating foreign interference in the internal affairs of Korea in order to guarantee a durable peace and accelerate its independent and peaceful reunification on the Korean peninsula.

In line with this resolution, we have been making continuous efforts to put an end to the abuse of the name of the United Nations by the United States. In April 1994, we advanced a proposal to hold negotiations between the Democratic People's Republic of Korea and the United States on replacing the old armistice system with a peace arrangement and, in February 1996, made a proposal to conclude an interim agreement between the two countries until the signing of a peace agreement and to establish a joint military mechanism for implementing that agreement.

However, the United States, failing to respond positively to the United Nations resolution and our peace-loving proposals, is still camouflaging the United States command in South Korea as the United Nations

Command, in order to deceive the world and distort the truth, as if the Democratic People's Republic of Korea and the Member States of the United Nations had belligerent relations.

This abnormal situation has lasted for nearly half a century. Nevertheless, the Security Council has taken no measures yet to resolve the situation. This indicates that, despite the changed international situation, the Security Council is still under the influence of the United States and certain other big Powers, which has the negative effect of putting its credibility in question.

The Member States of the United Nations should not turn away from the current situation in the Security Council, but should pay due attention to enabling it to make a substantial and effective contribution to peace and security by democratizing it and ensuring its impartiality.

Mr. Shen Guofang (China) (*interpretation from Chinese*): The Chinese delegation wishes to thank the President of the Security Council, the Permanent Representative of the United Kingdom, Ambassador Greenstock, for submitting this annual report to the General Assembly. The report has duly reflected the Council's work in the year from mid-1997 to mid-1998.

The international situation is undergoing profound changes at the turn of the century. It has become the common understanding and shared aspiration of all Member States of the Organization to maintain lasting peace, create a secure environment for development and establish a just and stable world political order. According to the Charter of the United Nations, the Security Council, as an important organ of the United Nations, shoulders major responsibility for the maintenance of world peace and security. In carrying out its duties, the Council should listen to the views of the vast number of Member States so that its actions will fully and truly reflect the will of the entire membership of the Organization. In this light, the Chinese delegation would like to make the following observations on the work of the Council.

First, the functions and role of the Council as laid out in the Charter should be further strengthened. Practices over the past year have shown that the Council is irreplaceable in the leading role of maintaining world peace and security. We believe that the Council should follow strictly the stipulations of the Charter and act in accordance with the will of the majority of Member States in its work. Only by so doing can it retain its authority.

Secondly, the United Nations should enhance and expand its cooperation with regional organizations in maintaining world peace and security. The United Nations has had fruitful cooperation with relevant regional organizations in Africa and Central Asia over the past year. China is in favour of regional organizations playing a constructive role, in accordance with Chapter VIII of the Charter, and it calls on the United Nations system to provide meaningful support to regional organizations, such as the Organization of African Unity (OAU), that are in need of necessary funds and technical expertise.

At the same time, we maintain that any multinational military operation carried out with the authorization of the Council should strictly regulate its activities according to relevant provisions and should standardize the mechanism of fulfilling its obligations to the Council, reporting to the Council and following the political guidance of the Council.

Thirdly, over the past year the Council has been more, rather than less, involved in the internal conflicts of some countries. We are of the view that in dealing with these important and complicated issues, the Council should strictly adhere to the purposes and principles of the Charter, act upon the consent or request of countries involved and make the utmost effort to help resolve the conflict through peaceful means. We are not in favour of interference in the internal affairs of a country in the name of alleviating humanitarian crises, or the use of military threat or intervention with wilful invocation of Chapter VII of the Charter.

In this connection, we are also opposed to placing all the problems of conflict areas on the agenda of the Council. This does not conform to the principles guiding the division of work among the various organs of the United Nations; nor does it facilitate the effective functioning of other United Nations organs, especially the General Assembly. This practice may also sometimes overwhelm the priority issues before the Council and affect the Council's effective functioning.

Fourthly, concerning the question of sanctions, we are of the view that wilful and frequent resort to sanctions will not help resolve conflicts or disputes. On the contrary, it will only further complicate a matter, inflict suffering on the people of the country under sanction and cause economic difficulties or losses to third countries that have to observe the regime. There have already been cases like this. Once again we call for early

implementation of the relevant principles set forth in General Assembly resolution 51/242. We maintain that when sanctions are unavoidable, the specific target, scope and duration should be clearly defined, and sufficient consideration should be given to humanitarian concerns. We do not favour the current situation, where it is all too easy to impose sanctions but difficult to lift them.

Fifthly, the importance that the Council is requested to attach to African issues must be translated into concrete deeds. African conflicts remained very much on the agenda of the work of the Council last year. The prolonged turmoil on the African continent has evolved against a profound historical background and is the result of various complex internal and external factors. China has all along been of the view that the Council should consider seriously the legitimate demands of African countries and respond positively to their appeals, and that it should give effective support and coordination to the efforts of African countries and regional organizations in solving the problems of Africa.

We are pleased that for two consecutive years the Council has held meetings at the level of foreign ministers exclusively to discuss the problems of Africa. We hope that Council discussions on the African issue, which have been elevated with regard to the level of participants, will also go deeper on substantive issues, with a view to finding an effective way to help accommodate the real concerns of African countries and promote lasting stability and development in Africa.

The Council acts upon the common will of Member States. In order to make it easier for Member States in general to gain more comprehensive acquaintance with the Council's work, the Council has worked tirelessly in recent years, in response to General Assembly resolution 51/193, to improve its working methods, including the way in which it drafts its report. As was pointed out earlier by the President of the Council, further improvement has been made on the basis of past experience in the way the present annual report on the work of the Council was drafted. In particular, the report now contains monthly assessments of the Council's work written by the successive Presidents after consultation with other members of the Council. We hope that these measures will help further improve the transparency and the effectiveness of the Council's work.

China is in favour of continued efforts to improve the Council's work so that the Council will be able better and more accurately to reflect the will of Member States, and to carry out the tasks set out in the Charter more effectively by drawing on past experiences and lessons and by pooling the wisdom of Member States in general.

Organization of work

The President (*interpretation from Spanish*): Concerning agenda item 20, entitled "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance", I have requested the Permanent Representative of Denmark to the United Nations, Mr. Jørgen Bøjer, to coordinate the informal consultations on the draft resolutions under that agenda item, and he has graciously accepted.

May I request those delegations intending to submit draft resolutions under agenda item 20 to do so as early as possible in order to allow time, if need be, for negotiations with a view to reaching consensus on the draft resolutions.

Announcements

The President (*interpretation from Spanish*): The 1998 United Nations Pledging Conference for Development Activities will be held on Wednesday, 4 November, and Thursday, 5 November, in the morning.

The announcement of voluntary contributions to the 1999 programme of the United Nations High Commissioner for Refugees will take place on Friday, 13 November, in the morning.

The announcement of voluntary contributions to the 1999 programmes of the United Nations Relief and Works Agency for Palestine Refugees in the Near East will take place on Thursday, 3 December, in the morning.

Members are requested to consult the *Journal* for the announcements on these activities for further details.

The meeting rose at 1.05 p.m.

United Nations A/53/PV.41

General Assembly
Fifty-third Session

Official Records

41st plenary meeting
Wednesday, 21 October 1998, 3 p.m.
New York

President: Mr. Opertti ..... (Uruguay)

The meeting was called to order at 3.15 p.m.

Agenda item 11 (*continued*)

Report of the Security Council (A/53/2)

Mr. Sharma (India): Towards the turn of the century, a famous lawyer known for the length of his arguments was once told by a judge, "I have listened very carefully to your presentation, and I must say, I am none the wiser", to which the lawyer replied, "None the wiser, possibly, my lord, but certainly better informed." The Security Council's annual reports to the General Assembly seem to be drafted in the same spirit, except that by looking at a compilation of Council documents which we have seen individually as they were issued over the year, we are not even better informed.

Article 24 of the Charter, which conferred on the Security Council primary responsibility for the maintenance of international peace and security on behalf of the full membership of the United Nations, also stipulated that the Council should submit annual and, when necessary, special reports to the General Assembly for its consideration. The intent of the Charter is quite clear. The Council has been delegated responsibilities, and it is expected that it should give a full accounting of its work to the membership from which it receives its powers. That has never happened, but it is more than ever necessary that the letter and spirit of the Charter should be respected in the Council's reports. Two years ago, at the initiative of members of the Non-Aligned Movement, the General Assembly at its fifty-first session adopted resolution 51/193, which encouraged the Security Council to provide a substantive, analytical and material account of its work. It included an indicative list of what the general membership would wish to see included in the Council's reports.

Unfortunately, the Council continues to fall short of the wishes of the General Assembly. What we still have in its report is merely a listing of what the Council has done or said on a number of issues. What the general membership would have expected, in addition to the measures indicated in resolution 51/193, is a report that provided, for example, an objective assessment of the extent to which the Council's activity or decisions had been helpful regarding the issues before the Council, and the Council's assessment of its own work.

In the absence of such an evaluation, we must perforce comment on the various sections in the report only on the basis of the limited information that it provides. We note that over the last year the Council has tried to broaden its horizons. On the one hand, a whole new doctrine is being built up of the wider implications of security in the post-millennial world. Economic deprivations, trade disputes, environmental degradation and large-scale human rights violations, to name only a few, are all seen as threats in a seamless weave of global security. And, it is argued, the Security Council should have a role in all of these. Others argue that, in the field of disarmament, the Council must monitor compliance with multilateral treaties. A third argument is that the Council must have a role in any international system of

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criminal justice. Though there is no intergovernmental agreement on these concepts, they have stretched the canvas of Security Council action well beyond anything envisaged for it in the Charter. This year, for instance, the Council held a meeting to consider issues related to humanitarian assistance, not a traditional concern of the Security Council, and not an area in which the collective experience of the permanent members would have provided any great insights.

However, it is apparent from the report that, despite claims and arguments that the concept of security is now much wider than it was 50 years ago, the Council still mostly addresses problems that are properly within its mandate as defined in the Charter. It is understood that security has a wider dimension, but it does not follow from this that the Security Council's role should be widened to permit it a say in questions of economic or social security. We would expect the Security Council to continue to restrict itself only to international peace and security, as defined and understood in the Charter.

It is also interesting that, despite the lip service that is paid to the wider concept of security, the budget of the United Nations still does not reflect this. Over the last few bienniums, when the United Nations budget has been held to zero real growth, it was reasonable to expect that, if economic and social issues were given higher priority, more resources would have been channelled towards them. However, the percentage of the budget earmarked for the Security Council has been preserved with the utmost care, not because it was addressing the wider issues of security, but because it continues to retain a privileged position even in the allocation of scarce resources. All the more reason, therefore, why the general membership should ask if the Security Council is giving it value for money.

It would be difficult to agree that it is. On three issues where the Council has stretched its mandate, the report says very little. As regards Iraq, the international community agrees that mandatory resolutions adopted by the Security Council must be implemented. However, the expansion of the role of the Council in running what is described as the oil-for-food programme is quite without precedent. Without any expertise in the matter, or indeed a mandate, the Security Council is in effect deciding what the needs of Iraq are; the wishes and economic priorities of the Government are almost secondary. This is an extraordinary development, very little debated.

The Council has had several meetings on Africa. This in itself may have been helpful in drawing attention to problems long neglected. But what has the Council achieved? It has set up six working groups, but there is very little to indicate that these have, or will, produce anything substantive.

The two ad hoc Tribunals which the Council has set up were, in our consistent view, not within its powers to establish. Nevertheless, they exist, though it makes us uncomfortable that two judicial bodies should be set up and be described as subsidiary organs of the Security Council.

However, what is even more regrettable are two offshoots of this decision.First, in a letter written by the judges of the International Court of Justice to the Secretary-General, the Court notes that it has an annual budget of approximately $11 million, while the 1997 budget of the International Tribunal for the former Yugoslavia stands at $70 million. The International Court of Justice has expressed its regret that it and the ad hoc Tribunals do not receive comparable treatment. This is grossly anomalous and needs correction. A Charter body should not suffer in comparison with those set up, through decisions of dubious legality, by the Security Council.

The other unfortunate offshoot, though of course not reflected in the report of the Council, was the pressure brought to bear to ensure that the Statute of the International Criminal Court gave a continuing role to the Security Council. In setting up the ad hoc Tribunals, which under the Charter it had no power to do, the Security Council argued that the maintenance of international peace and security in the former Yugoslavia and in Rwanda made it essential to set them up. In the negotiations on the Statute of the International Criminal Court, it was argued that the maintenance of international peace and security might sometimes make it necessary for the Court not to act, if the Security Council so decided. These arguments contradict each other; neither is tenable as a basis to give the Security Council a role in the administration of international law.

I will turn now to chapter 24 of the report. This chapter is one of those under part I of the report, entitled "Questions considered by the Security Council under its responsibility for the maintenance of international peace and security". It is interesting that under this section the Council should again have had to have a separate chapter on "The responsibility of the Security Council in the maintenance of international peace and security". This, of course, was the rubric and the excuse under which the

Council took upon itself the right to pronounce itself on the nuclear tests in South Asia. Is one to believe that in addressing the issues listed in the other 23 chapters in this section the Council was not acting to maintain international peace and security?

When the Council took up its consideration of this issue, I sent a letter to the President of the Council, on the instructions of my Government, asking for clarifications on why the Council thought it necessary to meet on our nuclear tests. This letter is listed among those that the Council received, but my Government still has not received the courtesy of any response, let alone a satisfactory response, from the Council. The questions I raised about the draft resolution in my letter remain just as valid about the version adopted. They are fundamental questions, which must concern the wider membership, about the way the Council functions, and I shall recall some of them.

If the Security Council assumes a role in disarmament, can it continue to ignore the overwhelming demand for elimination of nuclear weapons, which has been repeatedly endorsed by the General Assembly? Will the Council henceforth engage itself in matters relating to nuclear disarmament?

If indeed the Charter of the United Nations envisaged any role for the Security Council on non-proliferation issues, which is doubtful, why did it not act on the proliferation of tens of thousands of nuclear weapons since the United Nations was established? Is the Security Council's concern on matters of proliferation limited to horizontal proliferation alone? Is the continued retention of nuclear weapons by the nuclear-weapon States not considered a proliferation risk that threatens international peace and security?

If nuclear tests are a threat to non-proliferation and disarmament, or if the imputation is that tests raise tensions, why did the Council not take cognizance of the more than 2,000 tests carried out over the last 50 years, including as recently as 1996?

On what basis can the Council call on a country which has undertaken no legal commitment to do so to stop nuclear weapon development programmes, when this process continues in other countries without the Council taking any notice?

Can the Council call on a country not to develop ballistic missiles when it has made no such call on others, including those who have several thousand of these weapons in their arsenals and continue to produce and develop them? The United Nations has not even considered the negotiation of a treaty to ban the development or production of ballistic missiles.

On what basis did the Council limit its concern on nuclear weapons to an arbitrarily defined geographical subregion, when nuclear weapons by definition have a global reach and impact, and when the security concerns of India extend well beyond that subregion? Non-proliferation is a global issue and cannot be segmented according to political preferences.

The Security Council acts on behalf of the full membership of the United Nations. Neither of the treaties mentioned in the draft resolution — the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the Comprehensive Nuclear-Test-Ban Treaty (CTBT) — enjoys universal adherence among the United Nations membership. Since several Member States of the United Nations are not States parties to these treaties, on whose behalf did the Security Council "reaffirm" its commitment to these Treaties?

Can the Security Council urge any Member State of the United Nations to become a party to any treaty without delay and without conditions? This is tantamount to coercion and a clear violation of the fundamental principle that a State must freely consent to be bound by a treaty, a right protected by the law of treaties.

On what basis can the Secretary-General report to the Council on the steps taken by the countries addressed by this resolution, when most of its provisions are *ultra vires* or at variance with international law and infringe on the sovereign prerogatives of Member States?

Under Article 31 of the Charter,

> "Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected."

The Council disregarded this Charter provision by not giving India an opportunity to participate in the discussions on its draft on the nuclear tests in South Asia. The general membership of the United Nations will note this as one more instance of the Council acting in a manner that was neither open nor transparent, a problem

that has been repeatedly highlighted in the discussions in the Open-Ended Working Group of the General Assembly on Security Council reform.

It is this lack of transparency that gives rise to the belief that the Council often acts not on behalf of the general membership, as it must under the terms of the Charter, but to preserve privilege. The Non-Aligned Movement has consistently spoken on these reform aspects relating to the Council's activities. We also recall that in December 1997 the non-permanent members of the Council submitted a position paper which reflected a sense of dissatisfaction with the Council's methods of operation and made suggestions for reform. We have to correct the situation in which the Council is perceived as oscillating between hasty action, leaving the developing world dissatisfied, or no action, making the developing world feel that the Council is being indifferent because the interest of the permanent members is not engaged.

In addition, while the Security Council assumes new powers and functions of dubious legality, we also see disturbing attempts to bypass it or to ignore its role in the maintenance of international peace and security when this suits powerful interests. Some States, including some permanent members, have questioned the need for the authorization by the Council of peace enforcement by regional arrangements, so clearly stipulated in Article 53 of the Charter; in the course of two recent crises, regarding Iraq and Kosovo, it has been argued that a resolution of the Council authorizing military action was not required. In Afghanistan, despite the repeated appeals of its legitimate Government, the Council has done nothing to check foreign intervention, which has sought to overthrow the Government by armed force. These are developments that undermine the authority of the Council even further.

The report makes pro forma references to the situation in the Middle East, one of the issues where the Council has marginalized itself. Several times in the recent past, including this year, special sessions of the General Assembly have been called to discuss this issue, which is on the agenda of the Security Council, but on which the Council has been less than involved. These decisions of the general membership reflect a deep dissatisfaction with the current functioning of the Council. This situation should not be allowed to drag on.

The Council's annual report was not intended to confirm the need for reform, but that is what it does. It is clear that the Council needs to be made more transparent and more representative of the general membership; the one objective will probably depend on the other. We hope that this report will provide one more spur for the process of expansion and reform of the Security Council, which India, along with others, proposed five years ago, and which was carried by consensus in the General Assembly.

Ms. Ramiro Lopez (Philippines): I would like to thank the Security Council for its report and the President of the Council for presenting the report to us today.

The report of the Security Council is not only a stark and compelling historical record of the critical global events during the period it covers; the report is also a faithful record of the action and response of the Security Council to these events. But perhaps just as significantly, the report is also a cogent and real link between the Security Council and those of us who sit in this Assembly.

In this regard, I welcome the sincere efforts of the Council to enhance the analytical nature of the report, something that many United Nations Member States have been asking for over the years. This effort has somewhat increased the content of the report, but this is an increase that is well justified. I must also mention at this point that the efforts of the Council throughout the year to make its proceedings and the proceedings of its Committees more transparent are welcome developments which we should continue to encourage.

However, we would like to see more substantive information appear in the report, as called for in resolution 51/193, on the work of the Council's subsidiary bodies, such as the Sanctions Committee — particularly information on the consultations of the whole undertaken prior to action by the Council on substantive issues within its mandate.

Even as we, as an Organization, continue to debate the issue of reforming the United Nations — a debate that threatens to outlast us all — we must take every opportunity to enhance our work, which can be achieved through the positive interaction of the Assembly and the Council. This positive interaction would revitalize the Assembly's role in the maintenance of international peace and security. For, while the Security Council is structured and primarily geared towards addressing actual threats to peace, the Assembly is quite suited to preventing conflict and creating the conditions for peace

and progress and, indeed, many of us believe, has a central role to play in the area of peace.

With this precisely in mind, we mandated that the President of the Assembly should, based on his assessment of the debate on this report, hold informal consultations to discuss any action that should be taken by the Assembly based on this report. An indispensable requirement for such consultations, and in fact for the meaningful consideration of any action by the Assembly, is the submission of a report that is more substantive and analytical.

We look forward to these consultations, confident that each and every member of this Assembly, and this Assembly as a collective body, have much to contribute in our common quest for peace.

Ms. Wensley (Australia): Australia attaches considerable importance to this agenda item. As the organ of the United Nations with primary responsibility for the maintenance of international peace and security, the Security Council plays a key role which directly affects the interests of all Member States. Its report to the General Assembly is one very important means — but, I emphasize, only one — available to the Council to keep the wider membership informed of the decisions it has taken which impact on those interests.

Comment on the report provides all Member States with the opportunity to reflect upon the relationship between the General Assembly and the Security Council and on how that relationship can be strengthened. It also enables us to recognize and to reaffirm the central role the Council plays.

The report before us is, in Australia's view, a useful reference document which summarizes the extensive work carried out by the Security Council over the last year. Reading it, there is no denying the vital contribution the Council has made to the maintenance of peace and security and there is no denying that it will continue to play a pivotal role.

I take this opportunity to place on record the appreciation of the Australian Government to all the members of the Council, permanent and non-permanent, for the contributions they have made. To the newly elected non-permanent members which will assume their seats next year, I reiterate Australia's congratulations on their election and pledge our full support for the task ahead of them, including, I would suggest, responding in both intellectual and practical ways to the issues being raised in the debate on this report — a debate which, I must say, my delegation is finding very interesting and useful. I hope, to use Ambassador Sharma's introductory language, that if we, the General Assembly members, are better informed by the report, then they, the members of the Security Council, may be the wiser for this discussion.

Life as a non-member of the Security Council can at times be very frustrating. Day to day, we know that consultations are taking place amongst the members of the Council on issues crucial to global peace and security. Sometimes we have a very direct and material interest in the issues under discussion; at other times, our own direct security concerns may be less engaged, but our broader interests as members of the community of nations are nonetheless affected.

Invariably, the consultations amongst Council members take place behind closed doors. Resolutions and statements are negotiated and decisions taken informally without reference to the wider membership and are often cloaked in a shroud of secrecy. There are, sometimes, good reasons for this. The issues are often such that both confidentiality and speed of decision-making are crucial. But at the same time, the process generates frustrations and tensions for non-members, who are not only excluded from the decision-making process, but also often denied access to timely and comprehensive information about how those decisions are reached.

These are, of course, not new concerns. As we have just been reminded by the representative of the Philippines, they have long been the subject of discussion. The call for greater transparency and openness in the work of the Security Council can be traced back many years.

Some important progress has been made in this time. The annual report of the Council has undergone numerous changes in format, most recently this year. We welcome these changes, which we believe make the report a more useful reference document and a more useful analytical tool.

More important are reforms that have been introduced to keep the wider membership informed of issues before the Council as they happen. In these days of instant telecommunications and blanket media coverage of any significant international event, the need for information about the activities of the Council becomes more imperative. Contrary to the normal laws of supply and demand, the more we hear, the more we need to

know. Watching an event unfold on CNN does not satisfy our Governments' appetite for information; it simply sharpens it.

Surely, the Members of this Organization that are not members of the Security Council deserve better access to information about the Council's activities than the media. We must have information that is both more timely and more comprehensive. We must be able to brief our Governments on these activities, because they must make informed and timely policy decisions and they, too, face pressures from the media.

The briefings given to non-members by the President of the Council following informal meetings are a most important innovation. While my delegation has at times felt uncomfortable waiting for media conferences to conclude before we and other non-members are briefed — and the symbolism of this is obvious— we are nonetheless appreciative of the effort that is being made to keep us informed. To this end, I would like to thank those Council members that have made a particular effort to give full and detailed briefings during their tenure of the presidency.

We believe strongly that these briefings must continue, not as an optional or discretionary activity of the presidency, but as a central part of the rights and responsibilities that members assume when they take their seats in the Council. It is equally important that all members remain accessible to non-members and respond promptly to requests for information. This holds for both permanent and non-permanent members, although it could perhaps be argued that the responsibility of the five permanent members is even greater, as they are the keepers of the Council's institutional memory. For its part, Australia will increasingly look at how members discharge or propose to discharge their responsibility towards non-members in determining our support for candidatures for non-permanent seats.

Other improvements have been made in the Council's working methods to assist openness and transparency. The monthly assessments that are offered by each outgoing President, which are included as an annex to this year's report, are interesting, but could be circulated much more usefully at the end of each month. The Council's decision in April this year to circulate the tentative forecast and schedule of work is another welcome decision.

It is interesting to note that many of these improvements had their genesis in the discussions in the Open-ended Working Group on Security Council reform, and we are pleased that the Council has adopted them. The Working Group's report, which will be taken up in a later plenary meeting under another agenda item, offers a number of further suggestions for improving the transparency and openness of the Council. They warrant very careful consideration.

The General Assembly has an important role to play in reminding the Security Council of its responsibility to keep the wider United Nations membership informed of its activities. Transparency is an important principle, as we have heard over and over again in today's debate, but the issue is more than simply one of principle. Keeping non-members informed is crucial to maintaining their support. Over time, any erosion of support will inevitably have an impact on the standing of the Council and the credibility of its decisions. This in turn, I suggest, would have wider repercussions in terms of the overall credibility and influence of the United Nations itself.

I reiterate that the report of the Security Council that we are dealing with today is a good document. It is a valuable step in the direction of greater transparency and openness in the work of the Council, but it is only one small step. We look forward to many more as part of the process of reform, which remains a fundamental preoccupation of my Government.

Mr. Fowler (Canada) (*interpretation from French*): As this is the first time that I have taken the floor under your presidency, Sir, allow me to express my pleasure at seeing you presiding over our deliberations. I am certain that under your expert guidance the work of the General Assembly this year will be profitable and productive.

The debate on the report of the Security Council is one of the most important items on the agenda of the General Assembly because, under the terms of the Charter of the United Nations, the relationship between the Security Council and the General Assembly is unique. Nowhere else in the Charter do the Member States entrust a select few of their number with the responsibility for decision-making in what is arguably the most vital area of our collective activity: the maintenance of international peace and security. In no other area do all the States members of the General Assembly agree to carry out the decisions made by those few.

The relationship between the States Members of the United Nations and the Security Council took shape in the wake of the global conflicts that characterized the first half of this century, and we can congratulate

ourselves that the Council's work on behalf of all of the Member States has been one of the main bulwarks against confrontation on a global scale. The Council has managed, with varying degrees of success, to contain several of the all too numerous threats to international peace and security, which, although less extensive and more limited, have characterized the second half of the twentieth century. However, the Security Council is in danger of being unable to meet the new challenges to peace and security in the coming millennium. As we are well aware, these challenges relate more to conflicts within States than to conflicts between States, conflicts that increasingly target civilian populations.

The danger stems from two negative and closely related trends: first, the inability of the Security Council to achieve swift consensus on missions seeking to resolve some of the world's most worrying problems; and secondly, the Draconian reduction in resources for peacekeeping, both human and financial — resources that are an indispensable condition for an effective Council. Both trends are serious threats to the Council's relevance and both are reversible, given the requisite will and commitment.

(*spoke in English*)

Three trends appear to us to emerge from the report of the Security Council for the period from 16 June 1997 to 15 June 1998 which we believe are likely to have the greatest influence on the Security Council's future effectiveness. The first is what may be the beginning of a move from the closed, secretive, behind the scenes deliberations and decision-making of the Council in favour of a more open and transparent process. Still more can be done to ensure that Member States not currently members of the Council remain well seized of the Council's activities, and that Member States involved in and affected by matters before the Council are able to exercise their Charter rights, especially under Articles 31 and 32.

Evidence of such an evolution can be found in the presidential assessments and summaries annexed as part of the report, as well as the detailed briefings provided by successive Security Council presidencies immediately following the Council's deliberations. It is Canada's hope that this practice will continue and become enshrined as a part of a President's duty. Another indication of this happy trend is the willingness of some Council Presidents to hold open debates on issues on which Member States not currently members of the Council wish to speak. In this regard, I note with regret that while the views of non-Council members are sometimes heard immediately prior to the Council taking a formal decision, this is not the same as the Council actually considering the views of Member States before taking such a decision.

The Open-ended Working Group on Security Council reform has made some progress in nearing general agreement on the working methods of the Security Council, particularly considering the need for transparency of the Council's work as well as its decision-making process, including, of course, work on the curtailment of the veto. The advances made in these discussions are somewhat encouraging. Unfortunately, the same cannot be said of the Working Group's efforts to find general agreement on the thorny matter of expansion.

A second and positive trend is the somewhat greater willingness of the Council to engage in broader thematic debates that expand the Security Council's capacity to deal with modern challenges to peace and security. I refer particularly to debates such as those concerning landmines, child soldiers, the protection of humanitarian assistance workers and the Secretary-General's report on the situation in Africa. In regard to the last of these, I wish to express Canada's admiration for the successful follow-up process in the form of the ad hoc Working Group of the Security Council established pursuant to resolution 1170 (1998) and its six thematic subgroups.

These debates are helping the Council to examine and re-examine traditional interpretations of its mandate in order to address emerging threats which are likely to have an impact on our collective security in the next century. The addition of peace-building to the Council's range of responses is also welcome, as it stands to come to grips with the root causes of conflict and should help to allow consideration by the Council of broad threats to human security. Considerations of peace-building will, however, further exacerbate the continuing resource crisis with which the Council is so hobbled.

The third trend is not a positive one. I refer to the erosion of the credibility of the Council. The most worrisome example of this trend is the decision by the heads of State or Government of the Organization of African Unity, at their summit meeting this June in Burkina Faso, no longer to be bound by Security Council-imposed sanctions — in this case, those levied against Libya. This action is a troubling precedent which is, of course, contrary to the clear Charter obligations of all Member States of the United Nations to carry out the

decisions of the Security Council. It is clear, however, that leadership requires "followership" and that the Council can only lead with the continuing consent of the membership — a consent which must be continually won and nurtured.

Canada believes that such questioning is reversible. The Security Council must become more willing to become involved, and more consistent in both how and when it becomes involved, in issues that pose a threat to international peace and security. It must also, however, become more sensitive to the collateral humanitarian impact of sanctions. Further, the Council belongs to all of us. It cannot be allowed to focus on solving the problems of one region while remaining indifferent to those of others.

Another step that would aid in arresting the erosion of the Council's authority is to narrow the distinction between elected and permanent members of the Council. Such a move could only raise the credibility of the Council and thus result in greater effectiveness in the implementation of Security Council decisions.

We believe that the General Assembly must continue to pay close attention to the work of the Security Council to ensure that in the coming century the Council, which makes peace and security decisions on our behalf, evolves in the direction of more responsibility, more accountability and less impenetrability.

Mr. Konishi (Japan): As a member of the Security Council, my delegation wishes to associate itself with the statement made by Ambassador Greenstock this morning in his capacity as President of the Security Council for this month. We are fully supportive of all his assessments and would simply like to add a few supplementary comments.

My delegation welcomes the consideration of this important matter in the General Assembly, as it will provide an opportunity to reflect upon and carefully assess the developments pertaining to international peace and security which have taken place during the period from 16 June 1997 to 15 June 1998. But even more importantly, it will provide us with the opportunity to consider the question of the Security Council's relationship with, and responsibility to, the wider membership of the United Nations.

Allow me to take this opportunity to welcome the numerous positive developments reflected in the format of this year's report. There are, in the view of my delegation, two major examples of improved transparency in the work of the Council which have been pursued during the period under consideration. One is the inclusion in the addendum to the report of monthly assessments made by former Presidents, which offer an analytical perspective. Another is the diligent conduct of daily briefings by the presidency. They are attended by an increasingly large number of non-Council Member States interested in acquiring timely information on deliberations in the informal consultations of the Council.

As the President of the Security Council in April of this year, Japan, too, strove to improve transparency in the work of the Council in both these aspects. These efforts are reflected in the report on pages 347 to 351. We are pleased to see that the report faithfully incorporated improvements according to the blueprint provided in the note by the President of the Security Council (S/1997/451) issued on 12 June 1997. My delegation is hopeful that these improvements will further strengthen the Council's accountability to the wider membership.

It goes without saying that improving transparency in the work of the Council is one of the many important elements in the greater task of enhancing the credibility and effectiveness of the Council and the United Nations as a whole. In the view of my delegation, however, the improved transparency of the Council will have its true impact felt only when the composition of the Council itself reflects the realities of the changing world. My delegation would like to reaffirm its commitment to all these efforts to further enhance the credibility of the Council, and the United Nations as a whole, so that it can better deal with the challenges that lie ahead.

Mr. Čalovski (The former Yugoslav Republic of Macedonia): The delegation of the Republic of Macedonia would like to congratulate the President of the Security Council, the Permanent Representative of the United Kingdom, on his introduction of the report of the Security Council to the General Assembly for the period 16 June 1997 to 15 June 1998. We consider the Security Council's report in conjunction with the report of the Secretary-General on the work of the Organization.

We are pleased with the informative and useful presentation by the Council President and with the format and the content of this year's report. It is correct to say that it represents an improvement in comparison with last year's report. It is clear that this year's discussion in the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the

Security Council has influenced the Council to report to the General Assembly more fully and comprehensively. In the light of our stated position in favour of having a more relevant General Assembly and more relevant Security Council, we expect that next year's report will reflect further improvement.

The Republic of Macedonia is mentioned in the report several times. I would like to take this opportunity to state that cooperation between the Republic of Macedonia and the Security Council has been satisfactory indeed. My delegation has maintained excellent relations with all members of the Security Council, both elected and permanent. I would like to thank them for the cooperation they have extended and for their support of the preventive measures that have helped the maintenance of peace and security in our region.

During the reporting period, the Security Council several times deliberated on the question of the United Nations Preventive Deployment Force (UNPREDEP), which is stationed in my country, on our western and northern borders with Albania and with the Federal Republic of Yugoslavia. Twice, the Security Council decided to extend the mandate of the Force. The success story of this one and only preventive United Nations mission is now common knowledge in the Organization. It represents an important contribution by the United Nations and by the Republic of Macedonia to the stability of the region. Given developments in Albania and in Kosovo and Metohija, the importance of the mission of UNPREDEP now and in the immediate future has increased. The Republic of Macedonia will continue to give its full support to the mission, and I am sure that the Security Council's support will not be lacking.

The Security Council has become the centre of the political activities of the United Nations. It is the busiest organ of the Organization. Owing to its ability to act under Chapter VII of the Charter, the Security Council is the most powerful political body in the sphere of international relations. Owing to the veto power of its permanent members, the Security Council is the only undemocratic body of our Organization. So there is no doubt as to why reform of the Security Council is, politically, the most delicate undertaking of United Nations reform. For some time in the future the present situation will not change. However, it is correct to state that the Security Council has endeavoured to improve its working methods and to become more transparent. That can be seen from the present report. It is true that closed consultations and the decisions taken at closed consultation meetings are the subject of concern for many delegations. On the other hand, it is not correct to say that non-members of the Council cannot find out what is going on in the closed consultations room or bring their views to the attention of the members of the Council. As far as my delegation is concerned, I am pleased to state that all members of the Council have been cooperative. We therefore have no complaints to make. We would like to express satisfaction at the cooperation extended to us.

This is not the time to speak about the role of the Security Council or about the role of the General Assembly. We will have the chance to do that under other relevant agenda items. Nevertheless, I would like to use this opportunity to stress that there is an unquestionable need to strengthen the role and the relevance of the General Assembly in order to stop its diminishing influence in international political affairs. My delegation is in favour of a relevant Security Council and of a relevant General Assembly. Close cooperation between those United Nations organs is of paramount importance. If both can act in a timely manner, with the full force of the Charter and with the backing of Member States, the international community and, in particular, non-governmental organizations, the United Nations will definitely become the most relevant Organization for the maintenance of international peace and security and for the strengthening of international cooperation.

Mr. Ka (Senegal) (*interpretation from French*): In conformity with Article 24 (3) of the Charter, the Security Council has submitted its fifty-third report for consideration by the General Assembly. Let me at the outset pay deserved tribute to the members of the Security Council for the quality, depth, and exhaustively analytical and balanced character of the report, which enables us clearly to see their commitment and their devotion in the service of international peace and security: the primary responsibility of the Security Council.

In reading the report, we note that a number of points arise. The world situation continues to be dominated by numerous localized tensions and wars which pose a serious threat to the peace and stability of many regions in spite of the unrelenting efforts of the international community, and more particularly of the Security Council, to find lasting political solutions. Here I would mention the lack of progress in the Middle East peace process, the ongoing civil war in Afghanistan, the escalating violence in Kosovo, the standoff in the Cyprus peace process and the many conflicts in Africa. All these

situations, which threaten international peace and security, are of grave concern to the entire international community.

The Security Council, the guarantor of international peace and security, is well aware of this, and during the period under review devoted a great deal of time and energy to limiting these dangers. In this context, I want to highlight and to welcome the discrete but vigorous action taken by the Secretary-General, Mr. Kofi Annan, to achieve the peaceful settlement of a number of serious crises.

We especially welcome the Secretary-General's courageous initiatives and diplomatic breakthroughs at the beginning of the year during the tensions in the Persian Gulf. My delegation believes that since some of these initiatives are undertaken with the backing of the Security Council, it would also be important to continue to support the credibility of the United Nations and the authority of its Secretary-General so that other actions he undertakes with States to strengthen peace are respected by all.

The report of the Security Council gives top priority to the crises convulsing Africa, the continent that is currently experiencing the largest number of internal conflicts on the Council's agenda. I am referring here to Angola, the Democratic Republic of the Congo, the Central African Republic, Somalia, Ethiopia, Eritrea, Western Sahara and Sierra Leone. This unenviable situation led the Security Council to examine conditions for a concerted international effort to promote peace and stability in Africa during a special meeting at the ministerial level on 25 September 1997.

At that meeting, the members of the Council asked the Secretary-General to submit a report on the sources of conflict in Africa and ways to prevent and ultimately eliminate them, as well as to formulate recommendations on the establishment of durable peace and economic development. In that valuable report, which was favourably received by our entire community of nations, the Secretary-General, having rightly pointed out the intrinsic relationship between peace and development, outlined the criteria, means and mechanisms that should be set up to ensure and safeguard peace, a sine qua non condition for sustainable development in Africa.

The report of the Secretary-General gave rise to a vast upsurge of solidarity throughout the world. We should nevertheless remain vigilant and prudent for, as Mr. Kofi Annan himself has said,

> "it is in deeds rather than in declarations that the international community's commitment to Africa will be measured". *(A/52/871, para. 106)*

These very sensible words remind us of the numerous disappointed expectations and the frustrations experienced by Africa at crucial moments in its history.

The drama of Rwanda, Somalia and the Congo (Brazzaville) yesterday and of the Democratic Republic of the Congo today are all real examples, experienced by Africans, not of a lack of interest on the part of the United Nations and the international community in the crises of that continent, but of situations in which the hesitation and, often, the inaction of the Council gave rise to much frustration on the part of certain Member States.

With regard to the specific area of prevention, it should be pointed out that much still remains to be done at the level of the United Nations system. When a situation shows signs of becoming an acute crisis and calls out for urgent measures to be taken or for a rapid deployment of United Nations forces, it would be advisable for United Nations organs, and particularly the Security Council, to react immediately to safeguard international peace and security.

We are increasingly noticing the development of a feeling that, because of its internal contradictions, the Security Council takes too long to react to critical situations in Africa. At the same time, a trend is emerging based on the firm conviction that in the face of the Council's inertia Africa should try to look to itself to resolve its problems at either the regional or subregional levels.

My delegation is of the opinion that regional and subregional initiatives and efforts for the prevention and settlement of conflicts must be encouraged whenever possible, but within the context of full cooperation between regional organizations and the international community, in accordance with the Charter of the United Nations.

The crises in Africa concern not only Africa, but the entire international community. It is therefore in the interest of peace and security that the Security Council should increasingly help Africans in order to ensure that, in the face of these painful crises in Africa, States give greater emphasis to a culture of preventing conflicts

rather than a policy of reacting to situations and crises that have already led to much loss of human lives.

It is also appropriate to welcome the initiative taken last January by the Government of Japan in organizing at Tokyo a conference on preventive strategies. That conference focused essentially on efforts that should be undertaken by the international community to strengthen the preventive warning capacities of States and international organizations in order to respond to the different stages in the evolution of conflicts by specifically targeting the real causes of conflicts and their exacerbation, the factors that lead to outbreaks of violence and those that are likely to contribute to the preservation of peace after conflicts.

A necessary revision of the Security Council's modus operandi should be undertaken in order to ensure that this trend towards inertia does not have grievous consequences on the credibility and legitimacy of the Council. It must be stressed in this regard that there is already a large measure of consensus on such essential points as the Council's meetings and the participation of non-members, its programme of work and the informational meetings convened by the President for countries that are not members of the Council. In this connection, the members of the Council have already grasped the full extent of the reform that must be undertaken to achieve a marked improvement in the Council's methods; and important measures in that direction have already been proposed.

What remains to be done is to translate this impetus into reality and to institutionalize it to endow the Council with greater transparency and legitimacy. In so doing we shall be helping that important decision-making body at the heart of our system to ensure that its decisions are better understood and generally better supported by the Member States of the Organization.

Mr. Fulci (Italy): First of all, allow me to congratulate the Permanent Representative of the United Kingdom, Ambassador Sir Jeremy Greenstock, the current President of the Security Council, for his clear, comprehensive and thoughtful presentation of the Council's annual report to the General Assembly. I also wish to extend my compliments to the Secretariat for its excellent work in preparing the document.

Italy has constantly stressed, and wishes to underline once again, the importance of the General Assembly's discussion of the Security Council's report. This report is an essential tool for ensuring effective coordination and interaction between the Council and the General Assembly, in accordance with the relevant provisions of the United Nations Charter, particularly its Article 15. Moreover, this year's report, which covers the period from 16 June 1997 to 15 June 1998, deserves even greater attention, since for the first time it was prepared taking into account the measures approved by the Council in June 1997 to improve its format and its content. While we consider these measures still insufficient, the new format of the report must be considered as an achievement in the context of the strong desire and efforts for greater transparency in the work of the Council and for greater participation by non-members. It also represents a step in the direction of allowing a more meaningful debate on the Council's report, an objective which, in our view, the United Nations membership should continue to pursue constantly and with sincere determination.

Among the changes and additions that appear in this year's report, one would note first of all the inclusion for each subject of background information on the decisions and resolutions of the Council as well as presidential statements for the one-year period preceding the period covered; the description, in chronological order, of the Council's consideration of the matter in question and of actions it took on that item, including descriptions of decisions, resolutions and presidential statements; and the insertion of factual data, including dates of formal meetings and informal consultations on which a subject was discussed. All these elements help provide a clearer and more concise picture of the events relevant to the various items. We especially appreciate the fact that for each of them the report contains a brief description of the subject matter of the informal consultations of the whole.

We would like also to praise the inclusion in the report of a separate part — part V — on the work of the subsidiary organs of the Security Council, such as the sanctions committees, the two ad hoc Tribunals for the former Yugoslavia and for Rwanda, the Governing Council of the United Nations Compensation Commission and the United Nations Special Commission (UNSCOM). The activities of the sanctions committees, the United Nations Compensation Commission and UNSCOM were previously described in the introduction to the report, whereas the Council's action on questions related to the Yugoslav Tribunal was indicated under one of the items concerning the situation in the former Yugoslavia. In its new format, the report not only provides more detailed information about the work of the sanctions committees, but also includes a summary of the activities of the two ad hoc Tribunals. These are indeed positive developments, as they enhance the analytical and

comprehensive character of the report — something which, I recall, had been called for repeatedly.

Sections V and VI of the appendices contain the text of all resolutions adopted by the Security Council and all statements made and/or issued by the President of the Security Council during the period in question. Once again, we are pleased with this change, which results in a more rational presentation of the text of the Council's decisions and presidential statements.

Undoubtedly, the most innovative measure reflected in this year's report is the inclusion, as an addendum, of the monthly assessment of the work of the Council by representatives who have completed their functions as President of the Council. Although these assessments are prepared under the sole responsibility of each former President of the Council and are not to be considered as representing the views of the Council, they complement the report in a very useful manner, especially where they contain indications on priorities given and new trends that have emerged in the work of the Council.

We are confident that the practice of the monthly presidential assessments will constantly evolve towards a less factual and more conceptual analysis of the Council's activity. We would also like to encourage the future Presidents of the Council to follow the very good example set by Ambassador Berrocal Soto of Costa Rica during his December 1997 presidency and submit the monthly assessment for publication and distribution as a separate document of the General Assembly and of the Security Council. Such a measure would do a great deal to increase the transparency of the work of the Council.

As I have already stated, there are areas in which the format and content of the report are still, in our opinion, insufficient to enhance the interaction between the Council and the General Assembly. I refer in particular to the need for substantive indications of the process leading to the Council's decisions. We believe that the report should give a brief account not only of the dates and subject matter of the various informal consultations, but also of discussions on crisis areas, regional tensions, humanitarian emergencies and other issues crucial to international peace and to local and global stability. I think that we are entitled to know who said what. This is really very important for us to know when they come to us and ask to be re-elected and given a new mandate. I am speaking of the elected members, of course.

We continue to believe that the full transparency of the work of the Council is no less important than the effective performance of the Council's mandate. What we need is a true balance between these two principles, in accordance with the letter and the spirit of Article 24 of the United Nations Charter, which states that the Members of the Organization

> "confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf".

We are also of the view that other aspects of the report could be improved, for example by providing more analytical information on meetings with troop-contributing countries, as well as by highlighting the extent to which General Assembly resolutions on issues falling within the scope of both the Assembly and the Security Council are taken into account by the Council in its decision-making. Furthermore, we believe that the Security Council should fully implement the provision contained in Article 24 (3) of the Charter concerning the submission of special reports by the Council to the General Assembly. For these purposes, General Assembly resolution 51/193, adopted in December 1997, remains a good basis for analysis and discussion.

As our colleague Ambassador Greenstock pointed out, during the period covered by the report the Council has continued its intense activity in the maintenance of international peace and security and related humanitarian aspects.

The number of meetings held and of decisions taken remains high, and this, in my view, is the most convincing evidence of the commitment of the members of the Council — both permanent and elected — to performing their mandate. There is a need to further ensure that this mandate is carried out with full transparency so as to enhance, and not to undermine in any way, the fundamental role of the General Assembly as the major pillar of the United Nations. What is necessary, in our opinion, is to increase the public meetings and to reduce the secret ones.

Our New Zealand colleague, Ambassador Michael Powles, referred this morning to an eminent journalist, Mr. Abe Rosenthal, the former executive editor of *The New York Times*, who recently recalled

> "The culture of secrecy is so imbedded in the work of the Council that the victims, the public and the press take it for granted. They assume it was always that way.
>
> "No, it was not ... For more than 20 years after the UN was created in 1945, almost all Council meetings were open."

And the journalist added:

> "Except for the selection of the Secretary-General, the Council met in its own chamber, TV and reporters present, every word recorded ...
>
> "Most important of all, people of any country could see what their diplomatic representatives and Government were doing to help the world or hurt it." (*"The Secret Council", The New York Times, 6 March 1998*)

On this and other aspects, some progress has been made in the right direction, yet much remains to be done. In particular, many of us were unpleasantly surprised when comparing this year's statement by the five permanent members after their meeting with the Secretary-General with their 1997 statement on the same issue. Last year they spoke of the need to increase the "transparency and efficiency" of the Council. This year, a reference is made only to "efficiency"; in other words, "transparency" has been dropped. May I take the liberty of reminding the delegations of the five permanent members that transparency is not a concept they can freely dispose of. On the contrary, it is a concept strictly linked to the accountability that all members of the Security Council alike, permanent and elected, should have vis-à-vis this Assembly.

I did not come here today prepared to discuss in detail the issue of Security Council reform, and in particular the Council's enlargement. I had instead expected — and I expect — to tackle this important issue under the agenda item allocated to it, that is, item 59. However, since some speakers this morning raised the question, I feel obliged to refer to it.

The rumour is being circulated in some quarters that my country, Italy — specifically, my delegation — is trying to obstruct the reform process. This is a slanderous rumour. Nothing could be further from the truth. Italy is deeply committed and has been committed from the very beginning to the reform of the Council, and in particular to its expansion. At the very beginning of the exercise Italy tabled a very specific proposal that received the support or interest of more than 80 countries. Here in this very room, 80 countries spoke in favour of or commented in favourable terms about this Italian proposal. Later on Italy declared itself ready to also accept the fall-back position of the Non-Aligned Movement — that is to say, an increase for the time being in elective seats only — a proposal that already enjoys the support of 113 countries. And in this year's general debate, at the Assembly's 11th meeting, Italian Foreign Minister Dini went even further. The Italian Government, he said, would be willing to support any reasonable formula — I repeat, any reasonable formula — provided that it does not prejudice the eventual establishment of a common European seat on the Council, distance Italy from the other principal industrial countries or increase the number of countries that are "more equal" than others, transforming the majority of Member States from protagonists into mere spectators of these few countries' decisions. How can anyone, how can anyone in good faith call this obstructionism?

What we are opposing, and we are opposing it, I must admit, with great determination — and we are certainly not alone in this — are attempts by one side to pass the reform with a vote of less than the two thirds of the United Nations Member States provided for in Article 108 of the Charter. What we are opposed to is any elitist, selective and undemocratic solution which would be to the advantage of very few and to the detriment of a great many Members of our Organization.

Mr. Monteiro (Portugal): On 31 December, Portugal will conclude its current mandate as a member of the Security Council. This mandate, conferred by the General Assembly through elections, is an honour and responsibility that we have accepted with utter seriousness and have tried to exercise fully and effectively.

The task which the Security Council is entrusted with is one of the primary purposes set out in the United Nations Charter: the maintenance of international peace and security. To this end, Portugal and the other members of the Council are mandated to act on behalf of all the Members of the United Nations. This task is not an easy one; I agree with the Permanent Representative of Swaziland, who described it as almost needing divine inspiration. But it is one which the members of the Council, including Portugal, undertake to perform on

behalf of all those Member States that have seats in this General Assembly.

Acting on behalf of the United Nations Members implies, in our view, that the Council is also accountable to them. This does not in any way weaken the authority of the Council. On the contrary, it reinforces it, by providing a clearer picture of its activities and a better understanding of its responsibilities. This is why Portugal and others have struggled to help bring about a more transparent Council, with full participation by Member States. The consideration of the report of the Security Council by the General Assembly today is the very expression of that accountability.

Furthermore, the report is important because it preserves for posterity the memory of that principal organ of the United Nations. Hence the need to be informative, accurate and comprehensive in the report.

As was underlined by the President of the Council, Ambassador Greenstock, in his important address this morning, this report is indeed more informative than those of previous years and permits a better understanding of the work of the Security Council. Also more reader-friendly, the report includes assessments by the various Presidents of the Council of the activities carried out during their respective presidencies, providing interesting and further insights into the work carried out by the Council.

After my first presidency, in April 1997, I wrote an assessment of the work of the Security Council during that month — the first such assessment to be written — which was made available to all Member States at the time. This paved the way for the establishment of the Council's current practice.

While focusing on the past, this report does at the same time, in our view, reveal a new trend for the future — a future in which participation is not merely a theoretical stipulation but also a concrete reality.

Members of the Council have understood the importance of following this trend. They have suggested various measures for improving the methods of work of the Council and increasing the participation of the general membership in its work. In an annex to the assessment of the Permanent Representative of Costa Rica, readers will be able to see a letter that was sent last December by 10 members of the Council — the 10 elected Members — containing their suggestions as a result of the experience they garnered in the Security Council. Five of these Members were at the end of their terms, while the other five were halfway through theirs. This was an important initiative that generated a useful discussion on the methods of work among Council members, as well as in the working group on documentation and procedures.

Following that initiative, we hope that very soon a certain number of measures will be ready for consideration by the Council, and this may allow for improved participation in the Council's work by Member States — especially those States that contribute to peacekeeping operations — and pave the way for the Council to enhance the transparency of its work through an increased number of public meetings.

The efforts towards transparency must be pursued consistently and continuously. I am confident that this work will carry on. Others will follow in our footsteps and continue to strive for these goals. I am encouraged by the strong will expressed in this direction by all of the new, incoming members of the Council, recently elected for 1999-2000, over the need persistently to enhance the transparency of the Council, increase the participation of Member States in its work and improve the relationship between the Council and the General Assembly. I recall, particularly, the words of the Minister for Foreign Affairs of Canada, The Honourable Lloyd Axworthy, who, during the recent general debate, called for a more open and transparent Security Council and for the full exercise of the rights of participation of Member States in its work, as conferred by the Charter, He wisely said,

> "Far from constraining the Council's efficiency, this will improve the decisions it takes and render its actions more effective." (*A/53/PV.15*)

The question of increasing the membership of the Security Council is currently at a stalemate. It is, therefore, important to press for a change in the methods of the work of the Council. This course of action might even facilitate at a later stage the consideration of the question of equitable representation of the general membership in the Council, in a manner more adapted to the current international situation. No doubt the Security Council would thus increase its legitimacy.

In our view, the work carried out within the framework of the General Assembly by the Open-ended Working Group will continue to represent a decisive contribution to that end. The important goals that we want to achieve require the efforts of both the Council and the General Assembly.

The challenges raised by the various conflicts and disputes in the world today continue to call for a strong Security Council. Its authority and efficiency must therefore be preserved. We should discourage confrontation or division among United Nations organs or between these organs and regional organizations. We should encourage respect for the specific powers with which they have been invested and promote the coordination of efforts, among them efforts towards achieving our common goals. Very recently, following a public debate on Africa, the Council demonstrated its openness towards this objective and, through its resolution 1197 (1998), established a comprehensive framework of cooperation with regional organizations in Africa. We are confident this will serve as a model for other parts of the world and other regional organizations.

Within the United Nations, different organs complement one another in performing their functions. This notion of complementarity, a cornerstone of the structure created by the Charter, requires not only transparency of the organs but also the full exercise of initiative on their part. As we have said before, the Security Council has to do more to improve the transparency of its methods of work and the participation of Member States. As a key player, the General Assembly should also have a more dynamic role in this regard and should continue to take the necessary steps towards the same goal.

The Secretary-General, through his initiatives and his action in the process he is conducting to reform the Organization, has shown us how to move forward, giving form to the very notion of complementarity of the organs within the United Nations. Let us follow his example and the impetus he has created and continue to try from within the General Assembly, in a convergent action, to improve the relationship with the Security Council and to ensure an enhanced flow of information and greater participation by the general membership in the work of that organ.

The Security Council's work is quite demanding. The Council must act promptly with regard to events around the world. There is an increased expectation on the part of the international community with regard to the response by the Council to various conflicts or disputes. Members of the Council feel this pressure. They know they must act quickly but effectively in each of the situations with which they are faced every day in the Council. As reflected in the annual report, the Council is spending more and more time on its work in comparison with previous years. This situation raises particular difficulties for smaller States with Missions that cannot easily bear the heavy burden that the work in the Council represents. This is an important challenge for these States, which must turn the difficulties in their work into incentives for an effective term on the Council.

We know that in the exercise of the functions of the Council, there is sometimes a tendency to rely on the work of the permanent members. I would like to stress, however, that there is a fundamental role to be played by the elected members within the Council, and in particular by smaller States. Often, it is these smaller States that are in a better position to understand the situations of conflict and dispute, either because they are geographically closer to the States involved or because they have similar economic, social and political conditions. Their contributions are therefore very important in assessing and evaluating solutions to enable the Council to take better decisions.

This does not undermine the roles of either the permanent members or of other large States in the work of the Council. In fact, the power of the Council lies in the ability of its members to complement each other, through their diverse perspectives, and to merge in making a coherent decision. The binding nature of the decisions of the Security Council, as determined by the Charter, only highlights this importance.

Let me underline some other issues to which we have dedicated a considerable part of our efforts during Portugal's mandate in the Council.

The General Assembly, through the adoption of its resolution on An Agenda for Peace, made an important contribution to the subject of sanctions, developing new ideas on sanctions regimes and suggesting practical measures to improve their implementation. It was a challenge to which the Council has yet to respond.

Portugal remains committed to engaging the Council in a profound reflection over this issue, which is today a matter of concern to the international community, as clearly reflected in the General Assembly resolution, bearing in mind the increasing number of sanctions regimes and their impact on international relations.

As Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait, and following the implementation of the most comprehensive humanitarian operation ever undertaken by the United Nations, I am

very aware of the difficulties involved in the implementation of sanctions, their efficiency and their side effects. The Committee has undertaken every effort in order to improve the implementation of the humanitarian operation, and the results have been undeniably positive. The cooperation of the Iraqi Government with the Secretary-General and his initiatives in adapting the structures of the Secretariat have been crucial to the success of the operation, which aims at alleviating the suffering of the Iraqi people as a result of eight years of the most severe sanctions ever imposed by the United Nations, which have, unfortunately, yet to achieve their desired objectives.

The Council should reflect profoundly on this. Despite the size of the humanitarian programme, it is not sufficient to resolve all the problems of the Iraqi people; after all, it was not conceived to do so. In its implementation, however, all interested parties have been learning from their daily experience in this operation, which started almost two years ago.

Other chairpersons of sanctions committees have their own experience in implementing different sanctions regimes. The experience gathered so far should not be wasted. It should be kept for the benefit of the Council and future members. With this purpose in mind, we are engaged with members of the Council in a discussion on new measures to help future improvements in the implementation of sanctions, as well as to prevent their having a negative humanitarian impact by a better targeting of their effects. This subject should be the topic of discussion by the entire membership and a public debate should be prompted on the issue. We believe that the Council would benefit from this — from receiving different views and suggestions that would be presented.

Portugal considers that a public debate of thematic aspects particularly relevant to the work of the Council is an important part of its activities. Early on in our mandate, I proposed an open debate on post-conflict peace-building, which I considered would be useful for the Council to identify crucial issues relevant to its own decisions. I am happy to see that thematic debates have become an important part of the programme of the Council. We are also encouraged by the interest expressed by Member States in participating in these public meetings of the Council.

This also holds true for the open debates that the Council has held on specific issues with the participation of representatives of United Nations agencies and the Secretariat. We welcome the greater participation in the work of the Council of high-level representatives of the Secretariat and United Nations agencies, such as the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund and the High Commissioner for Human Rights. To overcome the challenges that the Council is faced with today, we need their input and their invaluable experience. That is why we have always supported their participation in meetings of the Council.

Among these, I recall the meetings on children in armed conflict, which were held during the June presidency of Portugal this year, and more recently on the protection for humanitarian assistance to refugees and others in conflict situations, in which the contributions of interested parties were very important to the action subsequently undertaken by the Council.

The Security Council should listen more to the other actors on the international scene, who, outside the United Nations or the intergovernmental framework, have deep knowledge of international issues, follow closely the problems associated with the resurgence of conflicts and undertake many actions to help prevent them. I wish to refer here to non-governmental organizations, as representing civil society, which have been kept apart from the work of the Council. Their activities have proved to be crucial in the process of pacification of international conflicts, in which, facing considerable risks, they continue to assist people in need.

In fact, the Council, in its decisions, has appealed frequently to non-governmental organizations, acknowledging thereby the importance of their action in the prevention of conflicts and in the peace-building efforts of the United Nations. The importance of these organizations in preventing illicit arms trafficking by helping Security Council sanctions committees to monitor violations of arms embargoes was also recognized recently by the Council in its resolution 1196 (1998).

The Secretary-General, for his part, in a conference last month, underlined the important role played by non-governmental organizations in raising public awareness, tweaking the world's conscience and shaping policy. Calling for a partnership, he has demonstrated how cooperation is increasing between the United Nations and non-governmental organizations, with mutual benefits in several areas. This implies, naturally, more responsibility on the part of non-governmental organizations, which, in the words of the Secretary-General, have to protect

themselves against the abuse of the idea of non-governmental organizations and protect their invaluable franchise.

We do not see why the Council should keep itself closed to the important source of information and assistance that these organizations represent. It should, in fact, listen carefully to them, and encourage and protect their action to prevent and resolve international conflicts. We are therefore encouraged by positive signs within the Council in this regard.

The Security Council maintains a close and day-to-day relationship with the press. The nature of the matters considered by the Council requires the prompt dissemination of information all over the world. The press amplifies the decisions taken by the Council. The relationship between them is thus of the utmost importance to the efficiency of those decisions. The Council should make all the necessary efforts to preserve that relationship and to prevent the effects of partial or imperfect information. The gap between what appears in the newspapers with regard to the work of the Council and the information that its President is mandated to convey to the press is, unfortunately, increasing. This permits different interpretations of the will of the Council. The way is therefore open to the manipulation of information, which, in our view, should be firmly prevented.

As to Member States, the information is mainly conveyed through briefings by the presidency of the Council. We believe that those briefings are the best way to ensure the objectivity and impartiality of the information on the work of the Council. We have tried, during our presidencies, to hold these briefings regularly and immediately upon the conclusion of the consultations of the whole, recognizing the importance for Member States of prompt information on the different subjects under consideration by the Council. These briefings should be further encouraged and improved, as they constitute appropriate channels of information to Member States outside the Council and prevent information from being unduly influenced by national interests.

The experience of Portugal in the Council has been highly gratifying, even if we feel a certain amount of frustration at all that we would have liked to do, but for which we have run out of time. We admire the tireless work carried out by all its members, my colleagues in the Council, and the Secretariat in its daily activities, which is of vital importance to the international community. We know better now how difficult it is to have the burden of taking decisions that affect so many countries, regions and people.

The ideas I have just put forward do not represent a criticism of the Council. Rather, they should be envisaged as constructive inputs. We will leave the Council with an even greater respect for its role and its action, which is fundamental for the preservation of peace and international security.

Once outside the Council, we will continue to strive for an even better Security Council, one that is more representative and transparent, without losing sight of the need to preserve its efficiency. We will not see it as a distant body. The renovation of the Council is also a way of bringing it closer to the general membership of the United Nations. On the other hand, we are confident that within the Council, efforts will continue to be made to pursue these goals. Its members are fully aware that that is not only the expectation but also the will of the international community. And it is the international community, after all, that the Security Council represents.

Mr. Nejad Hosseinian (Islamic Republic of Iran): I would like to associate myself with previous speakers in expressing appreciation to the Permanent Representative of the United Kingdom, Ambassador Greenstock, who, as the current President of the Security Council, introduced the annual report of the Security Council to the General Assembly.

My delegation has carefully reviewed the report contained in document A/53/2, covering the period from 16 June 1997 to 15 June 1998. We welcome the improvements that have been introduced into the present report, in particular the provision of some information about the consultations of the whole and the attachment of the monthly assessments of the former Presidents of the Council.

According to the report, during the period covered the Security Council made enormous efforts to deal with issues related to the maintenance of international peace and security in several parts of the world, some of which were more successful than others.

During the period covered, the Security Council considered the Afghanistan crisis under its responsibility to maintain international peace and security, and issued three presidential statements on the subject. The Council rejected the notion that the Afghanistan crisis had a

military solution and called for the prompt cessation of hostilities and the resumption of inter-Afghan negotiations to establish a broad-based Government with a view to reaching a lasting and peaceful settlement of the crisis.

But as a matter of deep concern, the Taliban movement, in a clear case of contempt for the will of the international community, intensified its military operations in the northern part of that country, committed heinous crimes against humanity, pursued a policy of systematic ethnic and religious persecution and, in a flagrant violation of international law, stormed our Consulate-General in Mazar-i-Sharif and murdered Iranian diplomats in cold blood, which raised worldwide outrage and condemnation. We welcome the timely reaction of the Council to the recent developments in Afghanistan, which of course go beyond the period covered by the present report. Nevertheless, we firmly believe that the situation in Afghanistan requires the continued attention of the Council in discharging its main responsibility under the United Nations Charter.

In Tajikistan, peace and tranquillity, however fragile, prevail. They have been achieved through the efforts of the United Nations, the support of a number of regional States and, indeed, the strong determination and good faith of the Government of Tajikistan and of the opposition. While there is fear that peace and stability in Tajikistan will be disturbed by the Taliban, our earnest hope is that the commitment to the General Agreement on the Establishment of Peace and National Accord in Tajikistan and its Protocols will lead that country to prosperity and irreversible peace and stability.

During the period covered, the Council dealt with several issues in Africa. The number and the intensity of armed conflicts on the continent which are considered to have threatened peace and security continue to be a source of grave concern for the international community.

The inclusion of an item entitled "The situation in Africa" in the Council's agenda and the convening of two meetings at the ministerial level were a sign that the Council needs to do more about the situation in Africa. The report of the Secretary-General, dated 13 April 1998, on the causes of conflict and the promotion of durable peace and sustainable development in Africa and the follow-up measures taken by the Council, including the establishment of an ad hoc Working Group to review the Secretary-General's recommendations in that report, raised expectations that the peace, security and sustainable development so deserved by people in Africa will receive as much attention and devotion as they do in other parts of the world.

We believe that it is the legitimate right of the Member States, which conferred on the Security Council the responsibility for the maintenance of international peace and security, to receive special annual reports and be fully aware of its activities. Despite the great number of questions before the Security Council which are considered to have threatened international peace and security, the General Assembly has not received any special report during the past half century. We believe that the time is ripe to define the word "necessary" in Article 24, paragraph 3, of the Charter. The Working Group on the reform of the Security Council is the appropriate forum to take up this important issue.

One of the improvements introduced into the present report is the inclusion of information about the issues considered in the consultations of the whole. It is well known that the important decisions of the Security Council are taken during those consultations. My delegation welcomes this improvement. Nevertheless, we continue to believe that the present report reflects very little substantive information about those consultations, which are the basis for the formal decisions of the Security Council. The report still needs to be further improved by providing an analytical assessment of the process of decision-making of the Security Council in such consultations.

In the absence of substantive information on the consultations of the whole, the main avenue available to all non-members of the Security Council is to wait around the South Lounge for scattered pieces of information and to attend the briefings by the Council presidency, which depend on the individual approach of the Council President at the time.

While emphasizing the need for all Council members to inform non-members, we believe that there is also a need for structured contact between the non-permanent members and the members of the geographical groups from which they have been elected to serve in the Security Council. Such contact would enable the non-members to be informed of the latest developments in the Council and eventually enhance the participation of non-members in the work of the Council, thereby promoting the credibility, authority and effectiveness of the Security Council.

According to Articles 10, 11 and 12 of the Charter, the General Assembly may discuss and make recommendations on the maintenance of international peace and security to Member States or the Security Council or to both. It was first thought that the favourable atmosphere created by the ending of the cold war would allow for structuring a balanced interaction between the General Assembly and the Security Council for the maintenance of international peace and security. While the Council has been actively engaged in this field, regrettably the Assembly has found little opportunity to discharge its responsibility for the maintenance of international peace and security in cooperation with the Council. In order to realize the goal of these Charter Articles, it is necessary to find proper ways to use the potential of the general membership of the United Nations in the maintenance of international peace and security.

I should not conclude without referring to another improvement in the present report — the inclusion of assessments by former Presidents of the Security Council. I would like to express appreciation to all Council Presidents for providing their assessments of the work of the Council. At the same time, there seems to be an opportunity for improvement in this area. We hope these assessments will become more analytical and substantive in the future, represent the view of the Council as a whole and be published routinely, with a structured format, immediately after the end of each presidency.

Mr. Ibrahim (Libyan Arab Jamahiriya) (*interpretation from Arabic*): Article 24 of the Charter states that United Nations Members confer on the Security Council primary responsibility for the maintenance of international peace and security and agree that in carrying out its duties under this responsibility the Council acts on their behalf. This means that the Council is accountable to the Members of the Organization in accordance with the principle that authority is not conferred without accountability.

It is with this understanding that my delegation participates in this debate. We feel that it is of paramount importance since it provides the Members of the United Nations an opportunity to review the work of the Security Council and to evaluate its activities in the light of the purposes and principles of the Charter.

When the General Assembly considered the reports of the Security Council at previous sessions, many comments were made with regard to the Council's working methods and many proposals were submitted on the form and content of its annual report.

It is gratifying to note at this session that the publication of the journal of the Security Council on a daily and monthly basis has become an established practice. The periodic briefings by the Presidents of the Security Council provided an opportunity for Members to have access to more information regarding the Council's informal consultations.

Despite that, the proposals to improve the work of the Security Council and to improve the preparation of its annual report have not been sufficiently taken into account.

The report of the Security Council contained in document A/53/2 has brief information on the subsidiary organs of the Council, including the sanctions committees.

Appendices V and VI contain the resolutions and presidential statements adopted by the Council during the period under review. Part I of the report contains brief reviews of what took place in the informal consultations prior to the adoption of these resolutions and presidential statements. The addendum included in the report contains the monthly assessments by the successive Presidents of the Council. This feature has been included for the first time, and we consider it a great improvement.

We hope the Security Council will follow up with other improvements, with a view to fulfilling the need for more transparency in its consideration of the issues, for an official evaluation of the problems it handles, and for the rationale behind the statements and the relevant resolutions it adopts.

Most of the delegations that took part in the debate during previous sessions stressed the importance of holding more open, formal meetings and limiting informal consultations to the minimum possible. However, it seems to us that the Council did exactly the opposite. The record before us states that it held 103 formal meetings during which it adopted 61 resolutions and issued 41 statements.

Despite the fact that the report mentions that the Council held 215 consultations of the whole, totalling some 588 hours, it does not have any information on the debates that took place during these consultations —

information that the Council often provides to high-level officials of the Organization's Secretariat.

My delegation fully understands that a small group would enable the Security Council to accelerate its work. But it is untenable to have recourse to informal consultations in such an unacceptable way that would cast aspersions on the legitimacy of the work of the Security Council as far as the rest of the membership of the United Nations are concerned. It is this membership that has entrusted the Council its main responsibility in the maintenance of international peace and security.

Paragraph 1 of Article 15 of the Charter states that the General Assembly shall receive and consider annual and special reports from the Security Council that shall include an account of the measures taken by the Council to maintain international peace and security. We do not recall that the Council has recently provided any special reports, despite the conflicts in many parts of the world. If the Council had provided the Assembly special reports on these events, then, in collaboration with the Assembly, it might have provided solutions for such problems and thus averted possible tragedies and suffering.

It is possible that the Council has its reasons. If that is indeed the case, it would have behooved the Council to clarify those reasons in its annual report in order for the Assembly to consider them and find other means to avert future tragedies.

The report of the Security Council contains a list of Council consultations with the States that contribute troops for peacekeeping operations. My delegation welcomes this inasmuch as it has been a demand which the Member States have advanced and insisted upon. But we must express our concern that the Council is not committed to the Charter of the United Nations as in the case of its disregarding consultations with other States which are not Council members and which are parties to a conflict under consideration by the Council, as is provided for by Article 31 of the Charter.

Our experience with the Security Council has made it clear that some Council members do not just oppose adhering to Article 31. Their inclination towards unilateralism and towards the adoption of resolutions with uncommon and unjustifiable haste with regard to complex issues has in fact been accentuated.

On 25 August last, the United States and the United Kingdom presented a draft resolution to the Security Council on their dispute with my country concerning the Lockerbie incident. On 27 August, the Council adopted the draft resolution even before the documents annexed to it had been translated and before the authorities concerned in my country had had a chance to consider them. This conduct ignored the call for transparency and openness in the work of the Security Council. It also resulted in wasting an opportunity to adopt a resolution that would take into account the interests of all parties concerned to expedite the resolution of a conflict, and hasten the lifting of sanctions from which the Libyan people have suffered for almost seven years.

The Security Council has taken many measures to improve its annual report, and we hope that such measures will pave the way for others that would make the report more comprehensive so that in the future it may contain justifications for the Council's actions.

This should also include a comprehensive and clear summary of discussions taking place in informal consultations, especially when there is a periodic review of sanctions. This would enable other States Members of the United Nations to learn in a documented way the positions taken by Council members during such consultations. Only then will the report of the Security Council to the General Assembly really reflect the Council's work and honestly record its activities.

We consider that it is important to review the working methods of the sanctions committees with a view to enabling the countries concerned to attend the meetings and state their views on these issues. We also consider that the Security Council should return to the proper practice, and enable other Members of the United Nations to state their views regarding the issues under discussion, and to contribute to the decision-making process, instead of being confronted with predetermined resolutions on matters that affect them all. The Council should broaden the base of its consultations with States not members of the Council particularly those that are concerned with what the Council is discussing. That is one of the principal means to legitimize the Council resolutions, and to improve the possibility of their being implemented.

My delegation wishes in conclusion, to reaffirm the importance of strengthening dialogue and interaction between the General Assembly and the Security Council. This should not be limited to a single annual occasion, when the Assembly considers the Council's report.

Rather, it should be an ongoing process based on the primary Charter responsibilities of those two organs.

Mr. Larraín (Chile) (*interpretation from Spanish*): I wish first of all to congratulate Ambassador Sir Jeremy Greenstock, Permanent Representative of the United Kingdom and current President of the Security Council, on his clear and concise introduction of the report of the Council for the period 16 June 1997 to 15 June 1998. My congratulations go also to the devoted staff of the Security Council secretariat on their excellent work.

This is the first report to contain assessments made by the successive Presidents of the Council, in their personal capacity. As a member of the Council, Chile participated in the work of the informal working group of the Security Council concerning the Council's documentation and other procedural questions, which devised this formula, which was described in the note by the President of the Council of 12 June 1997 (S/1997/451). This formula has enabled us to move towards meeting the universal desire for more analytical and substantive reports, as expressed by an overwhelming majority of the membership of the General Assembly through the adoption of resolution 51/193 of 17 December 1996, as aptly recalled this morning by the representative of Colombia.

We are pleased that from July 1997 each Council President prepared an assessment of the work of the Council during his presidency. This, we believe, is a practice that should be followed by all future Presidents; we urge all to follow the example of the delegation of Costa Rica, which was the first to distribute copies of its assessment to all Member States well before the publication of the report before the Assembly today. We believe too that future Presidents of the Council, especially those representing non-permanent members, should try to include as much substantive information as possible so as to make good use of this formula. These assessments should be a real working tool for the other Members of the Organization. Taken together, the 12 substantive assessments constitute a great contribution to transparency because they will enable the General Assembly to be better informed about measures adopted or agreed upon by the Security Council relating to the maintenance of international peace and security, thus ensuring the necessary coordination and cooperation between the two organs.

By the same token, we think it would be most useful for members of the Council to know the extent to which this new formula of assessments by each Council President has helped Member States to understand better how the Council is dealing with the matters pertaining to international peace and security that lie within its purview.

The report of the Council to the General Assembly is basic to the good relations and coordination that must exist between the two organs; it falls within the general framework of the transparency that must characterize the work of the Council. But these good relations and this transparency do not end here: the Council should constantly improve its working methods and increase their transparency. To that end, there should be an effort increasingly to reflect the discussions on so-called cluster II questions in the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council. Along the same lines, the recommendations set out in the position paper prepared by the 10 elected members of the Council for 1997 are of particular relevance; we had the honour to participate in the preparation of that paper. Such exercises within the Security Council are an effective way to promote greater transparency and openness and should continue. Only in this way can we put an end to formal, descriptive reports, which are of little use.

It would be impossible to refer now to all the items considered by the Security Council; I believe that each delegation will speak of those that are of interest to it. My delegation would like to note how the Council has been addressing the question of Africa over the past months, drawing its inspiration from the report of the Secretary-General of 13 April 1998, entitled "The causes of conflict and the promotion of durable peace and sustainable development in Africa" (S/1998/318). We particularly welcomed the convening of a second ministerial meeting on Africa and the establishment of an ad hoc working group to consider all the Secretary-General's recommendations; this led to the preparation of a number of documents that were adopted by the Council. We believe that the question of Africa must continue to be considered exhaustively, using a comprehensive approach. The Council, along with the other organs of the United Nations, must attach the highest priority to this matter, and we are pleased that this is understood.

Turning to another matter, two cases of sanctions imposed by the Council have evolved somewhat. I refer here to the cases of Libya and of Iraq. We hope that the procedural details of a trial in the Netherlands of the

suspects in the Lockerbie incident will be quickly clarified, and that these will not prove an obstacle, so that the trial can take place, enabling the sanctions affecting the Libyan people to be lifted soon.

During the reporting period, one of the items that was the focus of the greatest attention was the crisis with Iraq, which took place early in the year. Thanks to the timely intervention of the Secretary-General, military action was averted. While the tension that directly led to the crisis seems to have abated, the situation in Iraq is far from satisfactory. That is why we express the hope that a renewal of cooperation by Iraq with the United Nations, as a first step, and, as second step, a comprehensive review of the sanctions imposed on that country by the Security Council, sending clear, precise and consensus-based signals to Iraq as to what remains to be done, will very soon permit the unblocking of this situation that has already stretched out over many years and that has caused so much suffering to the Iraqi people.

I would also like to refer to Haiti. Almost a year after the Security Council established the United Nations Civilian Police Mission in Haiti (MIPONUH), my country considers that the role that Mission has played in creating a professional police force that respects democratic values has been of enormous significance. Nevertheless, despite the progress achieved by MIPONUH, the political situation prevailing in Haiti today does not make it advisable to end this Mission, whose mandate will expire on 30 November. In this connection, my country believes that the international community has a duty towards the Haitian people, which is being fulfilled today through an appropriate international presence. If the continuation of that international presence is requested in due time by the head of State of Haiti, my country will do everything possible in its capacity as a member of the group of Friends of the Secretary-General for Haiti to assist that country of my region.

In conclusion, I wish to take this opportunity to congratulate the sister Republic of Argentina on its illustrious election to the Security Council, as well as Canada, Malaysia, Namibia and the Netherlands, which will also be members of the Council in the coming biennium. We are sure that they will know how to continue the task of making the Security Council what we all desire it to be.

Mr. Lidén (Sweden): First of all, I wish to thank the President of the Security Council, Ambassador Jeremy Greenstock, for his presentation of this year's report to the General Assembly.

This annual debate is a welcome opportunity for the full membership of the United Nations to take stock of the work of the Security Council. My country attaches particular importance to this opportunity.

The Security Council carries a heavy responsibility. It exercises this responsibility on behalf of all Members of the Organization, and must be seen to do so. The highest possible degree of openness is a requirement in this regard. Sweden has, for its part, tried to make openness and transparency a hallmark of its present Security Council membership. Openness is a significant goal in itself; but, in particular, it is a means to promote broad consultations and to involve non-members of the Council in the work to prepare and implement Council decisions.

The format of the Security Council report before us differs, as has already been noted by other speakers, from that of preceding years. An important new element is the addition of monthly assessments by the respective Council Presidents, the first of them, as it happens, having been provided by Sweden. These assessments should try to meet the need expressed by many States for a more analytical and succinct Council reporting. I trust that all Council members will carefully consider the views expressed during today's debate on this and other aspects of the report.

Improving the transparency and the working methods of the Council is an important issue of principle. It is not a theoretical question, but one in which practical steps that lead to concrete results can and should be taken. During its tenure on the Council, Sweden has argued and striven consistently for such improvement. Non-members of the Council have the right to be well briefed about the work of the Council. We continue to work for an improved use of troop-contributor meetings as an instrument to influence and inform Council decision-making. Statements by the President of the Council to the press should be readily available to the general membership of the United Nations. During Sweden's presidency of the Council a record was kept of daily activities in the Council on the Mission's Internet home page, which included statements to the press. The Presidency before us also made such statements public on the Internet, and we hope that others will follow that practice.

This report of the Security Council covers an active and, in many respects, troublesome period. A number of crises which have been on the Council's agenda for a long time have continued to call for the Council's attention. In some cases they have been further aggravated. At the same time, other issues have come to the fore, such as the nuclear-test explosions by India and Pakistan, the conflict between Ethiopia and Eritrea and the aggravated situation in Kosovo. The past year has been a period of significant achievements for the Council, but it has also been one of substantial difficulties in tackling a number of complex issues.

From Sweden's perspective, some particularly important highlights of the work of the Council over the past year deserve to be mentioned: first, the adoption of a firm resolution on Kosovo setting out clear demands that are now to be met under international control; secondly, continued insistence on full Iraqi compliance with Security Council resolutions, while the oil-for-food mechanism has been improved; thirdly, steps taken to develop a long-term strategy for peace and security in Africa, together with African organizations and States; fourthly, Security Council support for nuclear non-proliferation and disarmament in the wake of India and Pakistan's nuclear testing; and fifthly, increased attention to international humanitarian and human rights law in the context of the responsibilities of the Security Council, including through the strengthening of the two ad hoc Tribunals.

The Security Council has followed through on major peacekeeping operations in all parts of the world and agreed on necessary steps to develop their mandates in keeping with changing circumstances. Since last year, two new peacekeeping operations have been established in Africa: in Sierra Leone and the Central African Republic. These are concrete examples of the Council's willingness to exercise its responsibility for international peace and security.

The Security Council is becoming more conscious of the need for a broad mix of personnel and the right balance in peacekeeping operations. Military, civilian police and other components must be better integrated. The appointment of special representatives of the Secretary-General in conflict situations, with the support of the Council, has proved a useful tool. That said, there is reason for concern that sometimes Security Council deliberations on peacekeeping are stymied by a narrow and short-term budgetary approach. A penny-pinching or tardy Council weakens its own authority and often also that of the Secretary-General. It runs the risk sending an inadvertent message of lack of concern to the parties affected, and it runs counter to the general acknowledgement of the need for early and preventive action.

There are of course situations in which fundamental disagreements or competing interests, in particular between permanent members, will stall the work of the Security Council. Such situations are today fewer in number than before, but almost by definition significant when they occur. They affect the overall work of the Council, but, fortunately, there is also a general understanding on the need to try to limit the damage they cause.

In many situations, it is clearly difficult for the Security Council to define an effective strategy. The instruments available can seem ill-suited to some of today's complex conflicts, in many ways domestic but with major cross-border aspects, sometimes with the participation of several parties with less than clear command structures or political objectives. In such situations, durable peace is rarely a straightforward result only of political leaders reaching an agreement to be implemented. Peace has to be established through a lengthy process of confidence-building and the reconstruction of torn societies.

But such difficulties can never be an excuse for the Security Council not to play its part in earnest. The Council's responsibilities impel it to act, when necessary by setting a framework for other actors and factors to fulfil their roles.

The increasingly central role of regional organizations for peace and security is an important development with long-term implications. Such a role is and must be a result of the aspirations and the ability of those organizations themselves. Regionalism should be by design and not by default, in the interest both of regional organizations and the United Nations. The mere fact that someone else is seized of a matter should not, however, mean that the Security Council may dispense with considering what it needs to do.

The Security Council's ability to address difficult issues and to take action is largely a question of political will and of leadership by all members of the Council. The elected members are essential in this regard, as they help bring further legitimacy to the work of the Council.

The permanent members are equally important in that respect. If there is a sense in their permanency — beyond political realism — it should be that it induces a long-term perspective, consistency and a willingness to be bolder and to take on difficult and uncertain tasks that require staying power from the international community. That type of leadership would, I am convinced, be welcomed by the broad membership of the United Nations.

Openness and effectiveness should be interrelated objectives for the Security Council. The actions of the Security Council and the General Assembly, and indeed the United Nations system as a whole, must be mutually reinforcing. Responsibilities may differ, but not the vocation as set out by the Charter.

Mr. Guillén (Peru) (*interpretation from Spanish*): We are particularly grateful to the Security Council for the report we have received and are considering today, and to the Permanent Representative of the United Kingdom — the current President of the Security Council, Sir Jeremy Greenstock — for his clear and comprehensive introduction of the report to the General Assembly, in keeping with the practice initiated earlier by Brazil during its presidency of the Security Council.

We interpret this introduction as an expression of the will of the Council to establish a dialogue with the General Assembly, in accordance with Article 24 of the Charter. This interaction and effective relationship between the Security Council and the General Assembly is essential. The work of both organs must be mutually reinforcing because, although their responsibilities in the area of peace and security differ, their goal is a shared one, as set out in the Charter. The Assembly's role is not limited to adopting resolutions on financial allocations for peacekeeping operations.

We welcome the ongoing efforts of the Council to improve the content of the report and the measures taken to that end. We welcome also the significant improvements that were made, in particular the inclusion of background information with the list of decisions, resolutions and presidential statements adopted by the Council the previous year; a description of the consideration given to each item in the course of the year; communications received by the Council; and reports of the Secretary-General submitted to the Council.

We particularly appreciate the assessments of the work of the Security Council prepared under the responsibility of representatives who have completed their functions as President, which are appended to the report. In this regard, we are pleased to recall the initiative taken by the Permanent Representative of Portugal in April 1997, which established this practice.

Given the importance of these assessments, we believe that it would be very useful to have them available as soon as each presidency is over, without having to wait until this report is submitted. Such evaluations should be submitted on behalf of the Security Council and should not be limited, as in some cases, to a mere summary of facts that appear in other parts of the report, without being accompanied by an assessment. In this regard and with a view to a careful study and analysis of the document in the General Assembly, it would be advisable that the Council not adopt its report two and a half months after the end of the period covered in that report.

Given the frequent use of statements to the press by the presidency of the Council, such statements should be recorded in some manner in order to determine their political and legal value, since they stem from agreements that are sometimes reached with difficulty by the members of the Council.

It has been proposed that States that are not members of the Council should be able, under Articles 31 and 32 of the Charter of the Organization, to participate in meetings or consultations in which they are involved prior to the Council's reaching a decision. In our view, this is a precondition for according legitimacy to a given Council decision. Of course, this also requires establishing a mechanism of timely notification and information.

We agree with the Secretary-General's views on the proposal that the Security Council should resort to the power conferred on it in Article 65 of the Charter to obtain from the Economic and Social Council the necessary information and assistance to enable it to consider a specific situation in a more comprehensive and effective manner. We believe also that difficult agreements on peacekeeping in regions affected by conflicts could unravel in the absence of political, economic and social stability. Hence these political agreements require a strategic convergence of economic and social cooperation projects, which should bring the Security Council closer not only to the Economic and Social Council but also to other United Nations bodies as well as financial institutions.

In the report of the Security Council now before the General Assembly we can see both that the increase in serious crises within States calls for urgent measures, above all of a humanitarian nature, and that the crises are becoming ever larger. But something new has been added: serious reluctance and indifference regarding international concerns. All of this together has produced a vacuum that the Council members explicitly mentioned in the Charter are hardly willing to fill. All of this has radically transformed the import of the solemn statement of 31 January 1992 by the heads of State of the member countries of the Security Council.

Perhaps it is not necessary to repeat that the Organization was not designed to deal with these new situations, especially when a system of collective action such as the one provided for in the Charter was never established or implemented. However, generally speaking — and therefore in relative terms — all efforts of the Council to deal with such cases deserve the consideration of all Member States.

The information we have — not from the Security Council but glimpsed or guessed at from outside — gives the impression that the new conflicts require actions clearly backed by the authority of the Council, and in some cases also by deterrence. At the same time, depending on the case, in other situations operations should be deployed in the field only on the basis of civilian, not military, approaches. Above all, operations must always be based on not only the consent of but also the cooperation of the States affected by the conflicts.

To a large extent the validity of the Security Council's actions depends on its members' accountability to all the Member States regarding the measures it takes on their behalf and on the extent to which its decisions are based on the Charter. This is because the Council is an essentially political organ operating under the Charter; its decisions would not be legitimate in those cases where they exceeded the Charter provisions or the norms of international law.

The meeting rose at 6.05 p.m.